

Gillispie, Anna E

From: Renaud, Tracy L
Sent: Thursday, February 02, 2017 8:35 AM
To: Scialabba, Lori L; Groom, Molly M; Busch, Philip B
Cc: Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

Lori,

I retyped the modification that were made by OGC below. Paragraph 3 that relates to I-730s has the same insertion as paragraph "according to existing policies and procedures."

1. Section 3(c) of the Executive Order does not affect USCIS adjudication of applications and petitions filed for or on behalf of individuals in the United States regardless of their country of nationality~~origin~~, or application and petitions for individuals outside the United States whose approval~~that does not directly confer travel authorization a benefit~~ (including any immigrant or nonimmigrant visa petition). This includes, but is not limited to, the matters discussed more specifically in paragraphs 2, 3 and 5 below.
2. Applications to Register Permanent Residence or Adjust Status (Form I-485) may continue to be adjudicated, according to existing policies and procedures, for applicants who are nationals of countries designated~~ities outlined~~ in the Executive Order, "Protecting The Nation From Foreign Terrorist Entry Into The United States."

From: Scialabba, Lori L
Sent: Thursday, February 02, 2017 9:19 AM
To: Groom, Molly M; Busch, Philip B
Cc: Renaud, Tracy L; Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

Cna't tell what the edits are.

From: Groom, Molly M
Sent: Thursday, February 02, 2017 12:11:26 AM
To: Scialabba, Lori L; Busch, Philip B
Cc: Renaud, Tracy L; Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

OGC has just asked that we discuss any changes that concern you and that they feel some of the edits are necessary. Please let me know if you want to discuss any of them. Molly

From: Groom, Molly M
Sent: Thursday, February 02, 2017 12:07:30 AM
To: Scialabba, Lori L; Busch, Philip B
Cc: Renaud, Tracy L; Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

Lori, we discussed some changes with OGC later which are attached. Please consider them before you issue. We agree that issuing these instructions are the highest priority for the agency. Thanks.

From: Scialabba, Lori L
Sent: Wednesday, February 01, 2017 11:19:50 PM
To: Hamilton, Gene; Higgins, Jennifer; Metzler, Alan; Nielsen, Kirstjen
Cc: Renaud, Tracy L; Alfonso, Angelica M; Groom, Molly M
Subject: RE: USCIS Guidance on 1/27 executive order

Thank you Gene. Have a good evening.

Lori

From: Hamilton, Gene
Sent: Wednesday, February 01, 2017 10:41:34 PM
To: Scialabba, Lori L; Higgins, Jennifer; Metzler, Alan; Nielsen, Kirstjen
Cc: Renaud, Tracy L; Alfonso, Angelica M; Groom, Molly M
Subject: RE: USCIS Guidance on 1/27 executive order

Thanks, Lori. This is good to go.

From: Scialabba, Lori L
Sent: Tuesday, January 31, 2017 3:55:57 PM
To: Hamilton, Gene; Higgins, Jennifer; Metzler, Alan; Nielsen, Kirstjen
Cc: Renaud, Tracy L; Alfonso, Angelica M; Groom, Molly M
Subject: FW: USCIS Guidance on 1/27 executive order

Please see the attached guidance that I would like to send to USCIS staff. It does not answer all questions but it will address the vast majority. Please let me know if you'd like to discuss. OCC and our politicals have reviewed.

I plan to send our parole program paper in the next day or so with our recommendations for consideration. Once decisions are made I'll have guidance drafted for implementation and sent up for review.

I know everyone is very busy but if I can get a clearance on the attached memo we'll be out in front of what may be the next round of questions regarding the EO that was signed on Friday.

Regards,
Lori

From: Walters, Jessica S
Sent: Tuesday, January 31, 2017 3:36 PM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Young, Todd P; Farnam, Julie E; Walters, Jessica S
Subject: USCIS Guidance on 1/27 executive order

Lori and Tracy:

Please see the proposed USCIS guidance on implementation of the 1/27 executive order. It's been reviewed by OCC (Molly/Phil) and Craig/Carl.

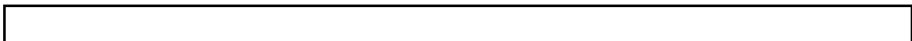
Thanks,

Jess

Jessica S. Walters

Senior Advisor | Office of the Director and Deputy Director

U.S. Citizenship and Immigration Services | U.S. Department of Homeland Security |



(b)(6)

Gillispie, Anna E

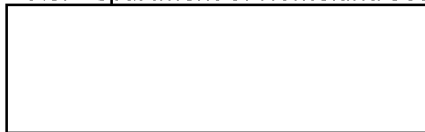
From: Busch, Philip B
Sent: Thursday, February 02, 2017 8:33 AM
To: Scialabba, Lori L; Renaud, Tracy L; Groom, Molly M
Cc: Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

On the second point, that is what this guidance provides.

On the first one, if you want more clarity based on the evolving guidance we have been getting about LPRs in this document, that can be done, but I think it would need to go through DHS clearance again. Perhaps it is more efficient to clarify that particular point with RAIO than revise the guidance to all employees again.

Phil

Philip B. Busch
Acting Deputy Chief Counsel
Senior Legal Advisor
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security



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Sent: Thursday, February 02, 2017 9:23 AM
To: Renaud, Tracy L; Groom, Molly M; Busch, Philip B
Cc: Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

I was specifically told we can issue a boarding letter to an LPR and WH clarified this doesn't apply to LPRs.

I was also told we could issue refugee travel document to anyone in the U.S. As well as an I-730.

From: Renaud, Tracy L
Sent: Thursday, February 02, 2017 8:28:29 AM
To: Groom, Molly M; Scialabba, Lori L; Busch, Philip B
Cc: Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

So how do we know when/if they get a waiver so that we then issue the boarding letter/parole?

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security



(b)(6)

From: Groom, Molly M
Sent: Thursday, February 02, 2017 8:07:02 AM
To: Renaud, Tracy L; Scialabba, Lori L; Busch, Philip B
Cc: Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

It's saying what is barred so those adjudications are barred but the individual could get a waiver so I think it is fine.

From: Renaud, Tracy L
Sent: Thursday, February 02, 2017 7:43:52 AM
To: Groom, Molly M; Scialabba, Lori L; Busch, Philip B
Cc: Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

Molly - What does the edit to bullet number one where OGC changed "benefit" to "travel authorization" do to the RAIO processing of travel letters and/or humanitarian parole?

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
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Lori

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I plan to send our parole program paper in the next day or so with our recommendations for consideration. Once decisions are made I'll have guidance drafted for implementation and sent up for review.

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Regards,
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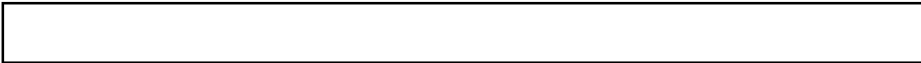
Lori and Tracy:

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Thanks,

Jess

Jessica S. Walters
Senior Advisor | Office of the Director and Deputy Director
U.S. Citizenship and Immigration Services | U.S. Department of Homeland Security |



(b)(6)

Gillispie, Anna E

From: Busch, Philip B
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To: Renaud, Tracy L; Groom, Molly M; Scialabba, Lori L
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A very good question about who has authority on behalf of the Secretary to grant sec. 3(g) waivers. Certainly CBP has been doing it, last I heard no lower than their Acting Commissioner level, although they were trying to get that expanded so he could redelegate and didn't have to do them all personally; hopefully that has happened. The way you've phrased it assumes we'd be looking to someone else to determine the waiver, rather than doing that ourselves (in coordination with CBP) for benefit requests under our jurisdiction, if we had that authority from the Secretary.

But I would suggest that the answer to the question, important as it is, isn't directly relevant to getting this particular guidance out, as it is intended to confirm what adjudications we do are not subject to the Sec. 3 EO ban, as opposed to getting into what the procedures are for those that are subject to it, which travel documents for 7 country nationals abroad are, under both the original way the guidance was drafted, and the way it has been edited by OGC which I think does better clarify the meaning.

Thanks, Phil

Philip B. Busch
Acting Deputy Chief Counsel
Senior Legal Advisor
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
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(b)(6)

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Lori and Tracy:

Please see the proposed USCIS guidance on implementation of the 1/27 executive order. It's been reviewed by OCC (Molly/Phil) and Craig/Carl.

Thanks,

Jess

Jessica S. Walters

Senior Advisor | Office of the Director and Deputy Director

U.S. Citizenship and Immigration Services | U.S. Department of Homeland Security |



(b)(6)

Gillispie, Anna E

From: Melero, Mariela
Sent: Tuesday, January 31, 2017 3:04 PM
To: Scialabba, Lori L
Cc: Alfonso, Angelica M; McCament, James W; Renaud, Tracy L; Neufeld, Donald W
Subject: RE: Executive order - processing question

Thanks, Lori. We will continue to manage expectations.

Mariela

Mariela Melero
Associate Director
Customer Service and
Public Engagement Directorate
US Citizenship and Immigration Services



(b)(6)

From: Scialabba, Lori L
Sent: Tuesday, January 31, 2017 4:02 PM
To: Melero, Mariela; Neufeld, Donald W
Cc: Alfonso, Angelica M; McCament, James W; Renaud, Tracy L
Subject: RE: Executive order - processing question

Please just give it a little more time. I just sent an implementation memo up for clearance that will resolve a large majority of our issues.

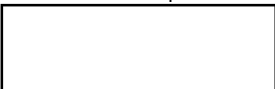
From: Melero, Mariela
Sent: Tuesday, January 31, 2017 3:43 PM
To: Neufeld, Donald W
Cc: Alfonso, Angelica M; McCament, James W; Scialabba, Lori L; Renaud, Tracy L
Subject: RE: Executive order - processing question

Dear Don,

We are sharing with stakeholders that we are "awaiting further guidance" but this is going to sound empty if we don't get a green light soon. Please let us know if you want us to follow up with Justin.

Mariela

Mariela Melero
Associate Director
Customer Service and
Public Engagement Directorate
US Citizenship and Immigration Services



(b)(6)

From: Neufeld, Donald W
Sent: Tuesday, January 31, 2017 3:33 PM

To: Scialabba, Lori L; Renaud, Tracy L
Cc: Melero, Mariela; Alfonso, Angelica M; McCament, James W
Subject: FW: Executive order - processing question

I'm hoping I can just stall in responding until the answer is "yes". If not, I'll need help in responding as I fear anything I say may cause problems – even saying I can't respond right now or that I've forwarded it to someone else.

From: Storch, Justin [REDACTED] (b)(6)
Sent: Tuesday, January 31, 2017 3:23 PM
To: Neufeld, Donald W
Subject: Executive order - processing question

Hi Don – I hope all is well.

Is USCIS processing nonimmigrant and immigrant petitions for nationals of the seven countries affected by the executive order? I have heard rumors that asylum applications are not being processed but have not otherwise heard. Are you able to confirm what is and is not being processed at the service centers?

Thanks,

Justin Storch | Manager of Agency Liaison
Council for Global Immigration
1800 Duke Street | Alexandria, VA 22314 USA
[REDACTED].org +1.703.535.6463 | +1.703.665.4458 F
cfgi.org | @Global_Imm

(b)(6)

Advancing your priorities: **CFGI Advocacy** in 2017. <http://bit.ly/OurAdvocacy>

Gillispie, Anna E

From: Hatchett, Doline L
Sent: Tuesday, January 31, 2017 9:24 AM
To: Ruppel, Joanna; Carter, Jeffrey T (Jeff); Alfonso, Angelica M
Cc: Renaud, Tracy L; Scialabba, Lori L
Subject: RE: Comment for a story?

Hello Joanna,

I think the decision was made to have the guidance concerning talking to the press and re-directing inquiries to OCOMM cascade down from managers, so I think your all hands meeting this afternoon would be a good opportunity to do that. The alt RAIO twitter account is still up but it doesn't look like there has been any activity since the 28th.

Thanks,
Doline

Doline Hatchett

Chief, Office of Communications | **U.S. Citizenship and Immigration Services**
20 Massachusetts Ave. NW, Suite 3100 | Washington, DC 20529-2160

(b)(6)

Sent: Tuesday, January 31, 2017 9:42 AM
To: Carter, Jeffrey T (Jeff); Hatchett, Doline L; Alfonso, Angelica M
Cc: Renaud, Tracy L; Scialabba, Lori L
Subject: RE: Comment for a story?

Thanks for forwarding. I note that this message also references a senior official in RAIO talking to the press. I am hoping the broadcast message reminding people to refer all inquiries from the press to OCOM comes out ASAP. I am reluctant to send a broadcast to all RAIO staff myself, as it likely will be leaked and misinterpreted. I do have an all hands meeting with the Directorate-level staff this afternoon and will remind them of this orally at that time. I also have a meeting scheduled with OCC and LER to discuss what actions I should take related to the alt RAIO twitter account. I assume it is still up and running, but don't get twitter so don't know.

Joanna

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations Directorate

(b)(6)

From: Carter, Jeffrey T (Jeff)
Sent: Tuesday, January 31, 2017 8:07 AM
To: Ruppel, Joanna; Hatchett, Doline L; Alfonso, Angelica M
Cc: Renaud, Tracy L; Scialabba, Lori L
Subject: RE: Comment for a story?

Joanna:

The story posted last night:

<https://theintercept.com/2017/01/30/asylum-officials-and-state-department-in-turmoil-there-are-people-literally-crying-in-the-office-here/>

Jeff

Jeff Carter
Acting Deputy Chief, Office of Communications
U.S. Citizenship and Immigration Services

(b)(6)

Please visit www.uscis.gov for news and information.

From: Ruppel, Joanna
Sent: Monday, January 30, 2017 7:12 PM
To: Hatchett, Dolline L; Alfonso, Angelica M; Carter, Jeffrey T (Jeff)
Cc: Renaud, Tracy L; Scialabba, Lori L
Subject: RE: Comment for a story?

Thanks! As always, I appreciate your quick and helpful response.

Joanna

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations Directorate

(b)(6)

From: Hatchett, Dolline L
Sent: Monday, January 30, 2017 7:10 PM
To: Ruppel, Joanna; Alfonso, Angelica M; Carter, Jeffrey T (Jeff)
Cc: Renaud, Tracy L; Scialabba, Lori L
Subject: RE: Comment for a story?

Hi Joanna,

Jeff will reach out to the reporter to point him to what is publicly available on the website but that we will not have any additional comment. Will flag for DHS OPA and circle back if they feel differently.

Thanks,
Dolline

From: Ruppel, Joanna
Sent: Monday, January 30, 2017 7:01:45 PM
To: Hatchett, Dolline L; Alfonso, Angelica M; Carter, Jeffrey T (Jeff)

Cc: Renaud, Tracy L; Scialabba, Lori L

Subject: FW: Comment for a story?

Just received the message below. Would it be possible for OCOM to reach out for response? Attached is the email I sent to staff on Friday, which is referenced below.

Please let me know if you would like to discuss.

Joanna

-----Original Message-----

From: Ryan Devereaux [REDACTED]

(b)(6)

Sent: Monday, January 30, 2017 6:42 PM

To: Ruppel, Joanna

Cc: Alice Speri

Subject: Comment for a story?

Hi Joanna,

My name is Ryan Devereaux and I am a reporter with TheIntercept.com in New York City. I hope you're doing well. My colleague Alice Speri and I are working on a story looking at the impact President Trump's recent executive order is having among career professionals working on refugee and asylum issues.

In the course of our reporting we were sent the email you sent your staff last Friday regarding the impact the EO will have on RAIO's work. We are not publishing your email in full by any means, but we are planning to use a couple lines to illustrate that there officials in government doing their best to keep their staff informed in a tumultous time.

We are also going to be reporting some of what we've heard about the impact the new administration has had on RAIO so far — specifically, it is our understanding that dozens of staffers were slated to head to the Middle East and North Africa this week but as of right now that has been put on hold.

We're writing you now for a few reasons. First, as a courtesy to you so you're not caught off guard. Second, we want to give you the opportunity to comment — on the record, on background, on deep background, whatever you're most comfortable with. And third, we were hoping to run what we have heard about RAIO by you to insure that everything we are reporting is accurate.

Just to be clear, the RAIO portion is just one part of this story and the portion of your email we are using is all about illustrating that people are trying to keep things together. Feel free to reach us here or you can call me at 970 308 7323.

Thanks for your time.

Ryan

Ryan Devereaux

Reporter

theintercept.com

Public key: 3728 F848 0034 DE9A 9B93 EF19 9821 E4B0 0BF1 57E3

Gillispie, Anna E

From: Young, Todd P
Sent: Tuesday, January 31, 2017 8:53 AM
To: Renaud, Tracy L; Scialabba, Lori L
Cc: Walters, Jessica S
Subject: RE: Application processing statement

We can put this on the back burner for a bit. It's important that we get these statements right, including the most recent guidance.

From: Renaud, Tracy L
Sent: Tuesday, January 31, 2017 9:27 AM
To: Young, Todd P; Scialabba, Lori L
Cc: Walters, Jessica S
Subject: RE: Application processing statement

Todd – How much of a hurry are they in? Lori is pushing DHS to get clearance to message out business as usual and it would be good if we could hold this a few hours so we can indicate that we had a short-term hold on final decisions which has since been lifted and we are back to processing as usual.

*Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security*

[Redacted]

(b)(6)

From: Young, Todd P
Sent: Tuesday, January 31, 2017 9:19 AM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Walters, Jessica S
Subject: FW: Application processing statement
Importance: High

Lori and Tracy,

We received an inquiry from the Arizona Republic and Law360 asking if USCIS has been directed to stop processing applications for green cards, status adjustments, etc. Below is the original response language developed by FOD addressing the issue along with my recommended edits. Let me know if you're comfortable with sending the revised statement along to OPA for clearance.

---Original Version---

"USCIS continues to adjudicate and administer the oath of allegiance for all citizenship cases. Final adjudication on other applications, including adjustment of status applications, continues up to final decision. [Redacted]"

(b)(6)

---Proposed Revisions---

"USCIS continues to adjudicate and administer the oath of allegiance for all citizenship cases. Final adjudication on other applications, including adjustment of status applications, continues up to final decision for certain classes of foreign nationals specified in the President's executive order. [Redacted]"

(b)(5)

From: Carter, Jeffrey T (Jeff)

Sent: Monday, January 30, 2017 8:50 PM

To: Young, Todd P

Cc: Alfonso, Angelica M; Valverde, Michael; Renaud, Tracy L; Neufeld, Donald W; McCament, James W; Hatchett, Doline L; Gwathmey, Carolyn S (CeCe)

Subject: Application processing statement

Importance: High

Todd:

OCOMM received inquiries from the Arizona Republic and Law360 asking if USCIS has been directed to stop processing applications for green cards, status adjustments, etc. The following statement, which has been developed with FOD, addresses the question:

"USCIS continues to adjudicate and administer the oath of allegiance for all citizenship cases. Final adjudication on other applications, including adjustment of status applications, continues up to final decision. USCIS believes this temporary pause in issuing final decisions will not result in noticeable delays for applicants and petitioners."

I will send to OPA for clearance with your approval.

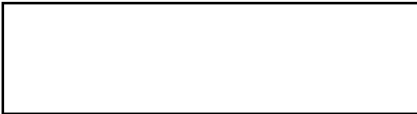
Thanks,

Jeff

Jeff Carter

Acting Deputy Chief, Office of Communications

U.S. Citizenship and Immigration Services



(b)(6)

Please visit www.uscis.gov for news and information.

Gillispie, Anna E

From: Alfonso, Angelica M
Sent: Sunday, January 29, 2017 10:28 PM
To: Renaud, Tracy L; Scialabba, Lori L
Cc: Walters, Jessica S
Subject: RE: Message to USCIS staff regarding press inquiries

I'm still messing with it but am cooked tonight. Also need to incorp Q/A

Overview of current external messages:

- As you are all aware, information related to the executive orders announced last Friday continues to be updated and released. Thus far, the Secretary has issued at least 3 statements and a fact sheet. These are all posted at dhs.gov. Our goal is to create a central repository on USCISConnect to house these cleared materials as they become available. We will share the Connect link once the page is up and populated.
- In one of yesterday's statements, Secretary Kelly addressed the question of whether or not green card holders will be allowed to return to the United States. The Secretary stated, quote, "In applying the provisions of the president's executive order, I hereby deem the entry of lawful permanent residents to be in the national interest. Accordingly, absent the receipt of significant derogatory information indicating a serious threat to public safety and welfare, lawful permanent resident status will be a dispositive factor in our case-by-case determinations."
- In another statement, the Department pointed out the fact that "No foreign national in a foreign land, without ties to the United States, has any unfettered right to demand entry into the United States or to demand immigration benefits in the United States."
- That statement also says, "The Department of Homeland Security will comply with judicial orders; faithfully enforce our immigration laws, and implement President Trump's Executive Orders to ensure that those entering the United States do not pose a threat to our country or the American people."
- And DHS pledged that "we will treat all of those we encounter humanely and with professionalism."
- I think it's important for field leadership to underscore this point, and to point out that acting with professionalism applies not only to how we treat our customers. It also applies to how we act as agency employees and civil servants in positions of public trust and national security.

Communications Guidance:

- Please remind your teams that the Office of Communications manages all interactions with the news media and represents the agency on social media. Likewise the Office of Legislative Affairs represents the agency to members of Congress and their staff, and CSPED represents the agency to stakeholder organizations.
- White House and DHS communications and legislative affairs continue to lead external relations efforts on the President's executive orders. For now, our guidance is to push everything up to them. Our USCIS external communicators are providing daily reports to DHS on incoming inquiries from the Hill, media outlets, state and locals, and other stakeholders.
- We are hearing reports of media outlets reaching out directly to employees. If a reporter contacts an employee or field leadership, the reporter should be referred to your PAO right away. You can also send the requested information, including the reporter's name, affiliation and contact information to your PAO to follow up. You should not promise to follow up yourself.
- Please remind your teams that there are legal rules about government employees referring to their positions or agency affiliation outside their official duties. With social media, even if someone posts what they think is a private opinion in their off hours, it could be misconstrued or call into question their ability to be an impartial and apolitical public servant. It could also confuse our customers and the public who are looking to the Department and USCIS for clarity about what the executive orders mean.
- Right now we all need to focus on staying informed and doing what we are directed to do, and working closely with our DHS partners to carry out those responsibilities.

From: Renaud, Tracy L
Sent: Sunday, January 29, 2017 8:43 PM
To: Alfonso, Angelica M; Scialabba, Lori L
Cc: Walters, Jessica S
Subject: RE: Message to USCIS staff regarding press inquiries

Thanks Angie.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Alfonso, Angelica M
Sent: Sunday, January 29, 2017 8:34:58 PM
To: Renaud, Tracy L; Scialabba, Lori L
Cc: Walters, Jessica S
Subject: RE: Message to USCIS staff regarding press inquiries

Adding Lori. Let me massage these. Again, this wasn't the tone I was looking to strike.

Angelica Alfonso-Royals
Chief, Office of Legislative Affairs
U.S. Citizenship and Immigration Services

From: Alfonso, Angelica M
Sent: Monday, January 30, 2017 1:33:30 AM
To: Renaud, Tracy L
Subject: FW: Message to USCIS staff regarding press inquiries

I don't think this strikes the right tone.

Angelica Alfonso-Royals
Chief, Office of Legislative Affairs
U.S. Citizenship and Immigration Services

From: Hatchett, Doline L
Sent: Monday, January 30, 2017 1:32:09 AM
To: Alfonso, Angelica M; Scialabba, Lori L
Cc: Renaud, Tracy L; Carter, Jeffrey T (Jeff); Walters, Jessica S; Gregory, Peter D; McLaughlin, Judy S; Kerns, Kevin J;

Groom, Molly M; Ruppel, Joanna

Subject: RE: Message to USCIS staff regarding press inquiries

Angie,

I know your plate is full, so to be helpful (and to get a jump on tomorrow) here are some TPs for Lori that specifically address the handling of media calls and alt social media sites.

- Given the events of the past few days, I feel the need to remind you of some basic tenants of communications discipline under which we operate as federal employees in USCIS. These are not restrictive nor reactive policies and they have been in place over the course of Administrations on both sides of the aisle.
- There is one entity in USCIS that is authorized to regularly engage the news media and represent the agency on social media and that is the Office of Communications. Likewise the Office of Legislative Affairs represents the agency to members of Congress and their staff.
- No employee should be conducting independent outreach to the news media or Congress on behalf of USCIS, and any employee contacted by the news media or a member of Congress should immediately refer them to the appropriate office to vet and coordinate an official response.
- No employee is authorized to setup or contribute to "rogue" or "alt" social media sites on government time or using government resources. And no employee is authorized to use our name, seal, or the name of their program office or division in such endeavors.
- USCIS employees have an absolute First Amendment right to their opinions as private citizens. However, public statements by employees which touch upon their official duties and are brought to the agency's attention may be reviewed to determine if there has been a violation of the Hatch Act, which bans certain federal employees from engaging in political activity.
- Bottom line, we are under a microscope by those on both sides of the immigration debate and we cannot afford to be viewed as partisan. I ask that you ensure your employees are aware of these standards.

From: Alfonso, Angelica M

Sent: Sunday, January 29, 2017 5:58:33 PM

To: Scialabba, Lori L; Ruppel, Joanna; Renaud, Tracy L; Hatchett, Dolline L; Carter, Jeffrey T (Jeff); Walters, Jessica S; Gregory, Peter D; McLaughlin, Judy S

Cc: Kerns, Kevin J; Groom, Molly M

Subject: RE: Message to USCIS staff regarding press inquiries

10-4

From: Scialabba, Lori L

Sent: Sunday, January 29, 2017 5:57 PM

To: Alfonso, Angelica M; Ruppel, Joanna; Renaud, Tracy L; Hatchett, Dolline L; Carter, Jeffrey T (Jeff); Walters, Jessica S; Gregory, Peter D; McLaughlin, Judy S

Cc: Kerns, Kevin J; Groom, Molly M

Subject: RE: Message to USCIS staff regarding press inquiries

Angie,

Set up a time for me to do the call and pull together bullets for me to use on the call.

Thanks
Lori

From: Alfonso, Angelica M
Sent: Sunday, January 29, 2017 5:37:41 PM
To: Ruppel, Joanna; Renaud, Tracy L; Hatchett, Dolline L; Scialabba, Lori L; Carter, Jeffrey T (Jeff); Walters, Jessica S; Gregory, Peter D; McLaughlin, Judy S
Cc: Kerns, Kevin J; Groom, Molly M
Subject: RE: Message to USCIS staff regarding press inquiries

I understand the need for a broadcast but any messages we send USCIS wide will have to be cleared and right now HQ is focused on the Q/A's, fact sheets, talking points. We may want to consider a leadership call tomorrow to update folks on status of various aspects of the EO as well as provide reminders on handling media and hill inquiries. In the very short term, we may have to rely on the message cascading down.

That said, there's a signed OCOMM memo and a management directive that spells out OCOMMs role as the sole agency spokesperson. We may want to consider giving both prominent real estate on connect.

From: Ruppel, Joanna
Sent: Sunday, January 29, 2017 5:26 PM
To: Renaud, Tracy L; Hatchett, Dolline L; Alfonso, Angelica M; Scialabba, Lori L; Carter, Jeffrey T (Jeff); Walters, Jessica S; Gregory, Peter D; McLaughlin, Judy S
Cc: Kerns, Kevin J; Groom, Molly M
Subject: RE: Message to USCIS staff regarding press inquiries

Thanks. It would be most helpful to me if USCIS would come out with a Broadcast reminding people of the rules.

Peter and Judy,

I await your guidance on appropriate steps I should take. Will follow up with you on a separate chain.

Joanna

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations

(b)(6)

From: Renaud, Tracy L
Sent: Sunday, January 29, 2017 5:24 PM
To: Hatchett, Dolline L; Alfonso, Angelica M; Scialabba, Lori L; Ruppel, Joanna; Carter, Jeffrey T (Jeff); Walters, Jessica S; Gregory, Peter D; McLaughlin, Judy S
Cc: Kerns, Kevin J; Groom, Molly M
Subject: RE: Message to USCIS staff regarding press inquiries

Joanna,

I would suggest you immediately work with Peter Gregory and LER on telling those employees to shut it down or rename it. If they have personal opinions they want to express they can do it with a moniker that does not at all reference USCIS, RAIO, RAD or any other part of the agency. It is inappropriate. Copying Peter and Judy here.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Hatchett, Doline L
Sent: Sunday, January 29, 2017 5:20 PM
To: Alfonso, Angelica M; Scialabba, Lori L; Ruppel, Joanna; Renaud, Tracy L; Carter, Jeffrey T (Jeff); Walters, Jessica S
Subject: RE: Message to USCIS staff regarding press inquiries

Correct RAIO is not carrying a disclaimer but are actually identifying themselves as employees. That's concerning.

From: Alfonso, Angelica M
Sent: Sunday, January 29, 2017 5:18:55 PM
To: Hatchett, Doline L; Scialabba, Lori L; Ruppel, Joanna; Renaud, Tracy L; Carter, Jeffrey T (Jeff); Walters, Jessica S
Subject: RE: Message to USCIS staff regarding press inquiries

I don't see a similar disclaimer on the raio one (they actually claim to be raio officers). My previous emails included screen shots.

Angelica Alfonso-Royals
Chief, Office of Legislative Affairs
U.S. Citizenship and Immigration Services

From: Hatchett, Doline L
Sent: Sunday, January 29, 2017 10:16:53 PM
To: Scialabba, Lori L; Alfonso, Angelica M; Ruppel, Joanna; Renaud, Tracy L; Carter, Jeffrey T (Jeff); Walters, Jessica S
Subject: RE: Message to USCIS staff regarding press inquiries

We do not know who established the account for USCIS, and I doubt that we would know that for RAIO. The posts are pretty anonymous. There is a disclaimer on the alt USCIS page that says it is an unofficial account of people working hard to make everyone deserving legal and is not affiliated with DHS or USCIS kinda. A little bit of a dig at the end. It's important to note that there are other alt sites popping up..EPA, NPS and others.

From: Scialabba, Lori L
Sent: Sunday, January 29, 2017 5:10:48 PM
To: Alfonso, Angelica M; Ruppel, Joanna; Renaud, Tracy L; Hatchett, Doline L; Carter, Jeffrey T (Jeff); Walters, Jessica S
Subject: RE: Message to USCIS staff regarding press inquiries

No idea. Should OSI look into this?

From: Alfonso, Angelica M
Sent: Sunday, January 29, 2017 5:08:13 PM

To: Ruppel, Joanna; Renaud, Tracy L; Hatchett, Dolline L; Carter, Jeffrey T (Jeff); Scialabba, Lori L; Walters, Jessica S
Subject: RE: Message to USCIS staff regarding press inquiries

Was this established by employees?

Angelica Alfonso-Royals
Chief, Office of Legislative Affairs
U.S. Citizenship and Immigration Services

From: Ruppel, Joanna
Sent: Sunday, January 29, 2017 10:05:47 PM
To: Alfonso, Angelica M; Renaud, Tracy L; Hatchett, Dolline L; Carter, Jeffrey T (Jeff); Scialabba, Lori L; Walters, Jessica S
Subject: RE: Message to USCIS staff regarding press inquiries

Terrific. I don't have access to twitter, but I also understand that an altRAIO twitter account has been established, whatever that means (I need to get with the modern times).

Joanna

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations

(b)(6)

From: Alfonso, Angelica M
Sent: Sunday, January 29, 2017 4:56 PM
To: Renaud, Tracy L; Ruppel, Joanna; Hatchett, Dolline L; Carter, Jeffrey T (Jeff); Scialabba, Lori L; Walters, Jessica S
Subject: RE: Message to USCIS staff regarding press inquiries

Should include leg (and stakeholder?) inquiry guidance as well.

Angelica Alfonso-Royals
Chief, Office of Legislative Affairs
U.S. Citizenship and Immigration Services

From: Renaud, Tracy L
Sent: Sunday, January 29, 2017 9:54:23 PM
To: Ruppel, Joanna; Hatchett, Dolline L; Carter, Jeffrey T (Jeff); Scialabba, Lori L; Alfonso, Angelica M; Walters, Jessica S
Subject: RE: Message to USCIS staff regarding press inquiries

Jess is drafting something to go out under Lori's name tomorrow. I think we can add this to the message. Adding Jess.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

[REDACTED] (b)(6)

From: Ruppel, Joanna

Sent: Sunday, January 29, 2017 4:53 PM

To: Hatchett, Dolline L; Carter, Jeffrey T (Jeff); Scialabba, Lori L; Renaud, Tracy L; Alfonso, Angelica M

Subject: Message to USCIS staff regarding press inquiries

I know there is A LOT going on, but I would like to recommend that a USCIS Broadcast be sent to all USCIS staff just to remind them of the requirement to refer all press inquiries to OCOM with instructions on how to do that. I was thinking of sending something to all RAIO staff, but I think it would be more appropriate to be a USCIS Broadcast.

Thoughts?

Joanna

Joanna Ruppel

Acting Associate Director

USCIS Refugee, Asylum and International Operations

[REDACTED] (b)(6)

Gillispie, Anna E

From: Ruppel, Joanna
Sent: Sunday, January 29, 2017 6:45 PM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Nicholson, Maura J
Subject: FW: FACT SHEET: Protecting the Nation from Foreign Terrorist Entry to the United States

Importance: High

Tracy and Lori,

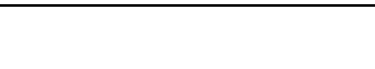
This says

“Importantly, however, lawful permanent residents of the United States traveling on a valid I-551 will be allowed to board U.S. bound aircraft and will be assessed for exceptions at arrival ports of entry, as appropriate.”

Note the “valid I-551.” I think we should revise our guidance to IO staff to have them contact us if they get an I-131A from one of the 7 nationalities until we get a firm answer from the Department on this. As I said, we don’t have any now and are unlikely to get one this week, but

Joanna

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations



(b)(6)

From: Alfonso, Angelica M
Sent: Sunday, January 29, 2017 7:40 PM
To: Melero, Mariela; Renaud, Tracy L; Scialabba, Lori L; Renaud, Daniel M; Ruppel, Joanna; Nicholson, Maura J; Strack, Barbara L; Hatchett, Dolline L; Neufeld, Donald W; McCament, James W; Davidson, Andrew J; Emrich, Matthew D; Kerns, Kevin J; Groom, Molly M; Busch, Philip B; Walters, Jessica S; Young, Todd P; Swanson, Toni
Cc: Atkinson, Ronald A; Martin, Heather A
Subject: FACT SHEET: Protecting the Nation from Foreign Terrorist Entry to the United States

FACT SHEET: Protecting the Nation from Foreign Terrorist Entry to the United States

WASHINGTON - The executive order signed on January 27, 2017, allows for the proper review and establishment of standards to prevent terrorist or criminal infiltration by foreign nationals. The United States has the world’s most generous immigration system, yet it has been repeatedly exploited by terrorists and other malicious actors who seek to do us harm. In order to ensure that the United States government can conduct a thorough and comprehensive analysis of the national security risks posed from our immigration system, it imposes a 90-day suspension on entry to the United States of nationals of certain designated countries—countries that were designated by Congress and the Obama Administration as posing national security risks in the Visa Waiver Program.

In order to protect Americans, and to advance the national interest, the United States must ensure that those entering this country will not harm the American people subsequent to their entry, and that they do not bear malicious intent toward the United States and its people. The executive order protects the United States from countries compromised by terrorism and ensures a more rigorous vetting process. This Executive Order ensures that we have a functional immigration system that safeguards our national security.

This executive order, as well as the two issued earlier in the week, provide the Department with additional resources, tools and personnel to carry out the critical work of securing our borders, enforcing the immigration laws of our nation, and ensuring that individuals who pose a threat to national security or public safety cannot enter or remain in our country. Protecting the American people is the highest priority of our government and this Department.

The Department of Homeland Security will faithfully execute the immigration laws and the President's executive order, and we will treat all of those we encounter humanely and with professionalism.

Authorities

The Congress provided the president of the United States, in section 212(f) of the Immigration and Nationality Act (INA), with the authority to suspend the entry of any class of aliens the president deems detrimental to the national interest. This authority has been exercised by nearly every president since President Carter, and has been a component of immigration laws since the enactment of the INA in 1952.

Actions

For the next 90 days, nearly all travelers, except U.S. citizens, traveling from Iraq, Syria, Sudan, Iran, Somalia, Libya, and Yemen will be temporarily suspended from entry to the United States. The 90 day period will allow for proper review and establishment of standards to prevent terrorist or criminal infiltration by foreign nationals.

Importantly, however, lawful permanent residents of the United States traveling on a valid I-551 will be allowed to board U.S. bound aircraft and will be assessed for exceptions at arrival ports of entry, as appropriate. The entry of these individuals, subject to national security checks, is in the national interest. Therefore, we expect swift entry for these individuals.

In the first 30 days, DHS will perform a global country-by-country review of the information each country provides when their citizens apply for a U.S. visa or immigration benefit. Countries will then have 60 days to comply with any requests from the U.S. government to update or improve the quality of the information they provide.

DHS and the Department of State have the authority, on a case-by-case basis, to issue visas or allow the entry of nationals of these countries into the United States when it serves the national interest. These seven countries were designated by Congress and the Obama Administration as posing a significant enough security risk to warrant additional scrutiny in the visa waiver context.

The Refugee Admissions Program will be temporarily suspended for the next 120 days while DHS and interagency partners review screening procedures to ensure refugees admitted in the future do not pose a security risk to citizens of the United States.

The executive order does not prohibit entry of, or visa issuance to, travelers with diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas.

The Department of Homeland Security along with the Department of State, the Office of the Director of National Intelligence, and the Federal Bureau of Investigation will develop uniform screening standards for all immigration programs government-wide.

Upon resumption of the U.S. Refugee Admissions Program, refugee admissions to the United States will not exceed 50,000 for fiscal year 2017.

The Secretary of Homeland Security will expedite the completion and implementation of a biometric entry-exit tracking system of all travelers into the United States.

Federal Government

As part of a broader set of government actions, the Secretary of State will review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal.

The Department of State will suspend the Visa Interview Waiver Program and ensure all individuals seeking nonimmigrant visas undergo an in-person interview.

Transparency

The Department of Homeland Security, in order to be more transparent with the American people, and to more effectively implement policies and practices that serve the national interest will make information available to the public every 180 days. In coordination with the Department of Justice, DHS will provide information regarding the number of foreign nationals charged with terrorism-related offense or gender-based violence against women while in the United States.

#

From: Alfonso, Angelica M
Sent: Sunday, January 29, 2017 6:40 PM
To: Melero, Mariela; Renaud, Tracy L; Scialabba, Lori L; Renaud, Daniel M; Ruppel, Joanna; Nicholson, Maura J; Strack, Barbara L; Hatchett, Doline L; Neufeld, Donald W; McCament, James W; Davidson, Andrew J; Emrich, Matthew D; Kerns, Kevin J; Groom, Molly M; Busch, Philip B; Walters, Jessica S; Young, Todd P; Swanson, Toni
Cc: Atkinson, Ronald A; Martin, Heather A
Subject: FACT SHEET: Protecting the Nation from Foreign Terrorist Entry to the United States

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In order to protect Americans, and to advance the national interest, the United States must ensure that those entering this country will not harm the American people subsequent to their entry, and that they do not bear malicious intent toward the United States and its people. The executive order protects the United States from countries compromised by terrorism and ensures a more rigorous vetting process. This Executive Order ensures that we have a functional immigration system that safeguards our national security.

This executive order, as well as the two issued earlier in the week, provide the Department with additional resources, tools and personnel to carry out the critical work of securing our borders, enforcing the immigration laws of our nation, and ensuring that individuals who pose a threat to national security or public safety cannot enter or remain in our country. Protecting the American people is the highest priority of our government and this Department.

The Department of Homeland Security will faithfully execute the immigration laws and the President's executive order, and we will treat all of those we encounter humanely and with professionalism.

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The Congress provided the president of the United States, in section 212(f) of the Immigration and Nationality Act (INA), with the authority to suspend the entry of any class of aliens the president deems detrimental to the national interest. This authority has been exercised by nearly every president since President Carter, and has been a component of immigration laws since the enactment of the INA in 1952.

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For the next 90 days, nearly all travelers, except U.S. citizens, traveling from Iraq, Syria, Sudan, Iran, Somalia, Libya, and Yemen will be temporarily suspended from entry to the United States. The 90 day period will allow for proper review and establishment of standards to prevent terrorist or criminal infiltration by foreign nationals.

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DHS and the Department of State have the authority, on a case-by-case basis, to issue visas or allow the entry of nationals of these countries into the United States when it serves the national interest. These seven countries were designated by Congress and the Obama Administration as posing a significant enough security risk to warrant additional scrutiny in the visa waiver context.

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###

Gillispie, Anna E

From: Neufeld, Donald W
Sent: Saturday, January 28, 2017 10:18 AM
To: Scialabba, Lori L; Renaud, Daniel M; Renaud, Tracy L
Subject: RE: (No Subject)

OMG. So they think we should turn LPRs around at the POE? Notably missing in all this are paroles. I know they want us to review the use of parole authority, but this EO didn't include parole in excluding from entry these nationals and citizens.

From: Scialabba, Lori L
Sent: Saturday, January 28, 2017 11:13 AM
To: Renaud, Daniel M; Neufeld, Donald W; Renaud, Tracy L
Subject: RE: (No Subject)

Probably easiest. I can't believe it but they are applying this to LPRs so approving an I90 might be an issue too.

For some reason OGC and OPLA think a LPR is an immigrant.

From: Renaud, Daniel M
Sent: Saturday, January 28, 2017 10:43:54 AM
To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Tracy L
Subject: RE: (No Subject)

I agree. Hold everything for now.

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Neufeld, Donald W
Sent: Saturday, January 28, 2017 10:23:59 AM
To: Scialabba, Lori L; Renaud, Daniel M; Renaud, Tracy L
Subject: RE: (No Subject)

Operationally, I think it is easier to hold off on everything, certainly in the beginning. I would hope going forward we could allow denials and other actions that could in no way be interpreted as allowing "entry" to go forward just to keep the number of cases on hold to a minimum.

From: Scialabba, Lori L
Sent: Saturday, January 28, 2017 8:42 AM
To: Renaud, Daniel M; Renaud, Tracy L

Cc: Neufeld, Donald W
Subject: RE: (No Subject)

O.K. This is fine except please hold all decisions. When I was in INS general counsel we moved ahead with suspension denials and held approvals when there were no longer numbers available and we got sued and lost in the 9th circuit. A strange outcome that I do not agree with but I'd prefer not to have us involved in litigation if we can help it. Ha, ha, ha, I just realized that was a ridiculous statement, we're going to get sued but I'd still prefer to hold all cases unless we are planning to put the denied person into proceedings as a NS or public safety risk.

Thoughts?
Lori

From: Renaud, Daniel M
Sent: Saturday, January 28, 2017 7:11:10 AM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Neufeld, Donald W
Subject:

Here is the draft message to field offices. I added a hold on N-400s, but if you think those can proceed, it can be removed. I'd like to get this out this morning, if possible. NER is going to run a scrape to determine the location of every field office pending case filed by a citizen or national of one of the 7 countries. As cases in process get held, we will establish NFTS codes that we can track nationally to determine the number of held cases. NBC will identify affected cases and no schedule them going forward.

Here's the message:

On January 27, 2017, President Trump signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefit applications. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the processing of immigrant and nonimmigrant benefit applications and petitions for nationals of Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya for 90 days from the date of the Executive Order.

Effectively immediately, you may not approve any immigrant or nonimmigrant petition or application where the applicant is a citizen or national of Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya. Field offices may interview applicants for adjustment of status and other benefits according to current processing guidance and may process petitions and applications for individuals from these countries up to the point where a decision would be made. Cases where approval is recommended shall be held in abeyance until further notice and will be shelved with specific NFTS codes which will be provided through the Regional Office. Denials, withdrawals, and administrative closures may proceed as they normally would.

Additionally, until provided with further instructions, offices also may not approve any Form N-400 (Application for Naturalization) or naturalize any individual from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya. As discussed above, cases may be processed up to the point of a decision. Cases that are to be approved will be held in abeyance.

We expect to issue more detailed guidance and procedures as needed in the coming days. Questions or requests for additional clarification may be directed to the Regional Office through your chain of command.

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

Gillispie, Anna E

From: Neufeld, Donald W
Sent: Saturday, January 28, 2017 10:15 AM
To: Scialabba, Lori L; Renaud, Daniel M; Renaud, Tracy L
Subject: RE: (No Subject)

Here's my recommended message for the centers. I'm looking to either Tracy or Lori to weigh in on the highlighted sentence. On reflection, I'd really like to keep at least I-90s and I-765s in motion given the high volume and potential impact of delays. However, I'm comfortable with striking anything or even the whole sentence.

On January 27, 2017, the President signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefits. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the entry immigrants and nonimmigrants who are from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya for 90 days from the date of the Executive Order.

While we await further guidance, we are temporarily suspending adjudication of applications, petitions or requests involving citizens or nationals of the listed countries. Exceptions to this temporary suspension would be I-765 applications for employment authorization; I-751 petitions to remove conditions; I-130 and I-140 visa petitions; I-90, N-565 and I-102 applications for replacement documents; and I-129 nonimmigrant petitions where the beneficiary is not seeking an extension or change of status.

Please segregate any files that are impacted by this temporary hold pending further guidance. As you would expect, we will be developing a weekly report format for you to identify the number and types of cases on hold.

We expect to issue more detailed guidance and procedures in the coming days.

Please ensure this guidance is conveyed to all appropriate employees and get back to us with any questions.

From: Scialabba, Lori L
Sent: Saturday, January 28, 2017 8:42 AM
To: Renaud, Daniel M; Renaud, Tracy L
Cc: Neufeld, Donald W
Subject: RE: (No Subject)

O.K. This is fine except please hold all decisions. When I was in INS general counsel we moved ahead with suspension denials and held approvals when there were no longer numbers available and we got sued and lost in the 9th circuit. A strange outcome that I do not agree with but I'd prefer not to have us involved in litigation if we can help it. Ha, ha, ha, I just realized that was a ridiculous statement, we're going to get sued but I'd still prefer to hold all cases unless we are planning to put the denied person into proceedings as a NS or public safety risk.

Thoughts?
Lori

From: Renaud, Daniel M
Sent: Saturday, January 28, 2017 7:11:10 AM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Neufeld, Donald W
Subject:

Here is the draft message to field offices. I added a hold on N-400s, but if you think those can proceed, it can be removed. I'd like to get this out this morning, if possible. NER is going to run a scrape to determine the location of every field office pending case filed by a citizen or national of one of the 7 countries. As cases in process get held, we will establish NFTS codes that we can track nationally to determine the number of held cases. NBC will identify affected cases and no schedule them going forward.

Here's the message:

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Effectively immediately, you may not approve any immigrant or nonimmigrant petition or application where the applicant is a citizen or national of Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya. Field offices may interview applicants for adjustment of status and other benefits according to current processing guidance and may process petitions and applications for individuals from these countries up to the point where a decision would be made. Cases where approval is recommended shall be held in abeyance until further notice and will be shelved with specific NFTS codes which will be provided through the Regional Office. Denials, withdrawals, and administrative closures may proceed as they normally would.

Additionally, until provided with further instructions, offices also may not approve any Form N-400 (Application for Naturalization) or naturalize any individual from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya. As discussed above, cases may be processed up to the point of a decision. Cases that are to be approved will be held in abeyance.

We expect to issue more detailed guidance and procedures as needed in the coming days. Questions or requests for additional clarification may be directed to the Regional Office through your chain of command.

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

Gillispie, Anna E

From: Neufeld, Donald W
Sent: Saturday, January 28, 2017 8:59 AM
To: Ruppel, Joanna; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R
Subject: RE: Executive Order

Yes, that's another example of the many potential impacts that aren't as obvious as the I-485s. I think it's going to take a while to run down every possible nuance to the impact of this EO.

From: Ruppel, Joanna
Sent: Saturday, January 28, 2017 9:54 AM
To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R
Subject: RE: Executive Order

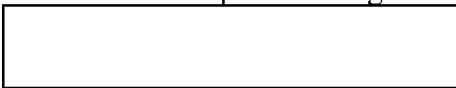
I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services



(b)(6)

From: Neufeld, Donald W
Sent: Friday, January 27, 2017 5:34:17 PM
To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W
Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L
Sent: Friday, January 27, 2017 8:04:01 PM
To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W
Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W
Sent: Friday, January 27, 2017 8:00 PM
To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L; McCament, James W
Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W
Sent: Friday, January 27, 2017 7:56:01 PM
To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L; McCament, James W
Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L
Sent: Friday, January 27, 2017 7:31:26 PM
To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L
Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W
Sent: Friday, January 27, 2017 7:26 PM
To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L
Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L
Sent: Friday, January 27, 2017 5:59:36 PM
To: Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L; Neufeld, Donald W
Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M
Sent: Friday, January 27, 2017 5:47 PM
To: Scialabba, Lori L; Higgins, Jennifer
Cc: Renaud, Tracy L; Neufeld, Donald W
Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L
Sent: Friday, January 27, 2017 12:43 PM
To: Higgins, Jennifer
Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M
Subject: FW: Executive Order

(b)(5)

FYI. I think Andrew might be right in terms of what is meant but

From: Davidson, Andrew J
Sent: Friday, January 27, 2017 12:37 PM
To: Renaud, Tracy L
Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L
Subject: Executive Order

Tracy,

It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person. (b)(5)

[REDACTED] We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington, DC 20529

[REDACTED] (b)(6)

Gillispie, Anna E

From: Neufeld, Donald W
Sent: Saturday, January 28, 2017 8:36 AM
To: Renaud, Daniel M; Scialabba, Lori L; Renaud, Tracy L
Cc: Davidson, Andrew J
Subject: RE: EO

I still think that would suspend adjudication of all petitions even where the beneficiary is abroad and must apply for a visa. (I-130s, I-140s, I-129s, I-526, etc.) I realize your folks don't do I-140s or I-129s, but I'm sure your language will be read by my folks and vice versa.

I'm beginning to think maybe the best thing would be to have a simple message this weekend saying to hold up approving anything for these nationals except I-90s, I-751s, N-565s and N-600s pending more detailed guidance to follow later next week. That more detailed guidance should probably be in the form of agency wide guidance so everyone gets the same thing. This would give us a bit more time to get it right. We are all smart, but I'm sure there are things we haven't thought of and we could use a couple workdays to get broader input.

From: Renaud, Daniel M
Sent: Saturday, January 28, 2017 9:14 AM
To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Tracy L
Cc: Davidson, Andrew J
Subject: RE: EO

I see your point, since the adjudication of applications and petitions is not specifically mentioned in the EO, I will change my language to be more along the line of yours. How about this:

On January 27, 2017, the President signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefits. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the entry immigrants and nonimmigrants who are from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya for 90 days from the date of the Executive Order.

Effectively immediately and until additional guidance is received, you may not approve any immigrant or nonimmigrant petition or application where the applicant is a citizen or national of Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya. Field offices may interview applicants for adjustment of status and other benefits according to current processing guidance and may process petitions and applications for individuals from these countries up to the point where a decision would be made. Cases shall then be held in abeyance until further notice and will be shelved with specific NFTS codes which will be provided through the Regional Office. Offices are not permitted make any final decision on affected cases to include approval, denial, withdrawal, or revocation.

Additionally, until provided with further instructions, offices also may not approve any Form N-400 (Application for Naturalization) or naturalize any individual from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya. As discussed above, cases may be processed up to the point of a decision. Cases shall then be held in abeyance.

Please look for additional guidance later this weekend on how to process naturalization applicants from one of the seven countries listed above who are currently scheduled for oath ceremony or whose N-400s have been

approved and they are pending scheduling of oath ceremony.

We expect to issue more detailed guidance and procedures as needed in the coming days. Questions or requests for additional clarification may be directed to the Regional Office through your chain of command.

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Neufeld, Donald W
Sent: Saturday, January 28, 2017 8:56:10 AM
To: Renaud, Daniel M; Scialabba, Lori L; Renaud, Tracy L
Subject: RE: EO

I pressed send to soon. I had intended to add I-90s, N-565s and I-102s to the list. The thinking here is that I will have folks run a scrape of everything pending in C3 and ELIS involving nationals/citizens of these countries and see what additional guidance may be needed based on what we actually have pending. We may be able to do something in the system to hold up processing like placing a supervisory hold or something similar.

From: Neufeld, Donald W
Sent: Saturday, January 28, 2017 8:44 AM
To: Renaud, Daniel M; Scialabba, Lori L; Renaud, Tracy L
Subject: RE: EO

Dan – I don't see anything in the EO regarding temporary suspension in the processing of immigrant and nonimmigrant benefit applications and petitions. I only see the reference to suspending entry. I want to be on the same page as you, but my intent was to say something more along the lines of:

"While we await further guidance, we are temporarily suspending approval of applications, petitions or requests involving citizens or nationals of Syria, Iraq, Iran, Somalia, Yemen, Sudan and Libya. Exceptions to this temporary suspension would be I-765 applications for employment authorization, I-751 petitions to remove conditions, I-130 and I-140 visa petitions, and I-129 nonimmigrant petitions where the beneficiary is not seeking an extension or change of status."

I prefer listing which cases can proceed rather than what should be held as we handle so many I fear missing something. I'd rather add more exceptions to the hold as they are identified than risk letting something through up front. We will also impose a weekly reporting requirement to identify the numbers and case types on hold and a process to identify any cases or case types that should be considered for exception.

From: Renaud, Daniel M
Sent: Saturday, January 28, 2017 7:11 AM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Neufeld, Donald W
Subject:

Here is the draft message to field offices. I added a hold on N-400s, but if you think those can proceed, it can be removed. I'd like to get this out this morning, if possible. NER is going to run a scrape to determine the

location of every field office pending case filed by a citizen or national of one of the 7 countries. As cases in process get held, we will establish NFTS codes that we can track nationally to determine the number of held cases. NBC will identify affected cases and no schedule them going forward.

Here's the message:

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Additionally, until provided with further instructions, offices also may not approve any Form N-400 (Application for Naturalization) or naturalize any individual from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya. As discussed above, cases may be processed up to the point of a decision. Cases that are to be approved will be held in abeyance.

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Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

Gillispie, Anna E

From: Neufeld, Donald W
Sent: Saturday, January 28, 2017 7:59 AM
To: Renaud, Daniel M; Scialabba, Lori L; Renaud, Tracy L
Cc: Davidson, Andrew J
Subject: RE: EO

Right, but what about I-130, I-140 and I-129 petitions that do not confer a benefit?

From: Renaud, Daniel M
Sent: Saturday, January 28, 2017 8:56 AM
To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Tracy L
Cc: Davidson, Andrew J
Subject: RE: EO

Adding Andrew...

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

(b)(5)

I would suggest

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
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Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
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Gillispie, Anna E

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Additionally, until provided with further instructions, offices also may not approve any Form N-400 (Application for Naturalization) or naturalize any individual from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya. As discussed above, cases may be processed up to the point of a decision. Cases that are to be approved will be held in abeyance.

We expect to issue more detailed guidance and procedures as needed in the coming days. Questions or requests for additional clarification may be directed to the Regional Office through your chain of command.

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

Gillispie, Anna E

From: Renaud, Daniel M
Sent: Saturday, January 28, 2017 6:11 AM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Neufeld, Donald W

Here is the draft message to field offices. I added a hold on N-400s, but if you think those can proceed, it can be removed. I'd like to get this out this morning, if possible. NER is going to run a scrape to determine the location of every field office pending case filed by a citizen or national of one of the 7 countries. As cases in process get held, we will establish NFTS codes that we can track nationally to determine the number of held cases. NBC will identify affected cases and no schedule them going forward.

Here's the message:

On January 27, 2017, President Trump signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefit applications. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the processing of immigrant and nonimmigrant benefit applications and petitions for nationals of Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya for 90 days from the date of the Executive Order.

Effectively immediately, you may not approve any immigrant or nonimmigrant petition or application where the applicant is a citizen or national of Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya. Field offices may interview applicants for adjustment of status and other benefits according to current processing guidance and may process petitions and applications for individuals from these countries up to the point where a decision would be made. Cases where approval is recommended shall be held in abeyance until further notice and will be shelved with specific NFTS codes which will be provided through the Regional Office. Denials, withdrawals, and administrative closures may proceed as they normally would.

Additionally, until provided with further instructions, offices also may not approve any Form N-400 (Application for Naturalization) or naturalize any individual from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya. As discussed above, cases may be processed up to the point of a decision. Cases that are to be approved will be held in abeyance.

We expect to issue more detailed guidance and procedures as needed in the coming days. Questions or requests for additional clarification may be directed to the Regional Office through your chain of command.

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

Gillispie, Anna E

From: Scialabba, Lori L
Sent: Friday, January 27, 2017 7:01 PM
To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L; McCament, James W
Subject: RE: Executive Order

Syria, Iraq, Iran, Yemen, Libya, Sudan and Somalia.

From: Neufeld, Donald W
Sent: Friday, January 27, 2017 7:56 PM
To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L; McCament, James W
Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L
Sent: Friday, January 27, 2017 7:31:26 PM
To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L
Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W
Sent: Friday, January 27, 2017 7:26 PM
To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L
Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L
Sent: Friday, January 27, 2017 5:59:36 PM
To: Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L; Neufeld, Donald W
Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M
Sent: Friday, January 27, 2017 5:47 PM
To: Scialabba, Lori L; Higgins, Jennifer
Cc: Renaud, Tracy L; Neufeld, Donald W
Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L
Sent: Friday, January 27, 2017 12:43 PM
To: Higgins, Jennifer
Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M
Subject: FW: Executive Order

(b)(5)

FYI. I think Andrew might be right in terms of what is meant but [REDACTED]

[REDACTED]

From: Davidson, Andrew J
Sent: Friday, January 27, 2017 12:37 PM
To: Renaud, Tracy L
Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L
Subject: Executive Order

Tracy,

It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person [REDACTED] (b)(5)

[REDACTED] We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security

111 Massachusetts Avenue, NW
Washington, DC 20529



(b)(6)

Gillispie, Anna E

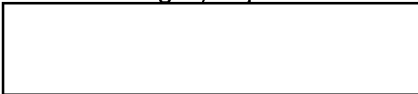
From: Ruppel, Joanna
Sent: Friday, January 27, 2017 4:40 PM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Strack, Barbara L; Stone, Mary M; Groom, Molly M; Zengotitabengoa, Colleen R; Benedict, Deborah L; Nicholson, Maura J
Subject: following-to-join cases

Lori and Tracy,

Just wanted to flag for you that we are instructing our international managers to cancel all travel document pick-ups for I-730 refugee and asylee following-to-join cases for next week. That gives us time to get direction from the Department of the impact of the executive order signed today on both refugee and asylee following-to-join cases.

Joanna

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations Directorate



(b)(6)

Gillispie, Anna E

From: Renaud, Tracy L
Sent: Friday, January 27, 2017 12:04 PM
To: Davidson, Andrew J
Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L; Emrich, Matthew D
Subject: RE: Executive Order

Thanks Andrew, I know it's tough to nail down and understand that whatever you come up with will have plenty of assumptions built into the equations.

*Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security*

(b)(6)

From: Davidson, Andrew J
Sent: Friday, January 27, 2017 1:02 PM
To: Renaud, Tracy L
Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L; Emrich, Matthew D
Subject: RE: Executive Order

That is a very difficult question to answer as S1's draft guidance on the border and enforcement EA only mention an increase of FDNS IOs to support anti-fraud operations in relation to Asylum processing as well as a generalized increase to support RAIO and Field OPS. The only extra capacity we will have in the interim with the RAD shutdown is in our social media group and Intel Division. We expect to use these resources to pivot immediately from refugee to asylum screening of the countries of interest. Where I think we will need the increase to meet the substance of the EA is our IO/IRSs in the Field and at the Centers. Enhanced screening and fraud investigations are mostly carried out there. We will start our review and should have some rough estimates by end of next week.

Thanks

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security
U.S. Citizenship and Immigration Services

(b)(6)

From: Renaud, Tracy L
Sent: Friday, January 27, 2017 5:41:11 PM
To: Davidson, Andrew J

Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L
Subject: RE: Executive Order

We raised that verbally with S1 and his advisor yesterday and they took note of our question. We will continue to seek clarification. On a related matter, there was mention of us likely needing to hire additional FDNS officers. Lori pointed out that we will have some capacity as a result of the pause/decrease in refugee processing. We are going to need FDNS to conduct a review/study of what your capacity is and what you anticipate your resource need to be in order to effectively implement the EO. How long do you think it will take you to get us a rough estimate?

*Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security*

[Redacted]

(b)(6)

From: Davidson, Andrew J
Sent: Friday, January 27, 2017 12:37 PM
To: Renaud, Tracy L
Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L
Subject: Executive Order

Tracy,

It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry (b)(5) into the United States", once we grant an adjustment we "admit" that person. [Redacted]

[Redacted] We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington, DC 20529

[Redacted]

(b)(6)

Gillispie, Anna E

From: Neufeld, Donald W
Sent: Friday, January 27, 2017 6:33 PM
To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L
Subject: RE: Executive Order

The other thing we haven't discussed is if TPS processing is impacted. I wouldn't think processing re-registrations would be, but I'm not 100% sure and for late initials I'm even less so.

From: Neufeld, Donald W
Sent: Friday, January 27, 2017 7:26:14 PM
To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L
Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L
Sent: Friday, January 27, 2017 5:59:36 PM
To: Renaud, Daniel M; Higgins, Jennifer
Cc: Renaud, Tracy L; Neufeld, Donald W
Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M
Sent: Friday, January 27, 2017 5:47 PM
To: Scialabba, Lori L; Higgins, Jennifer
Cc: Renaud, Tracy L; Neufeld, Donald W
Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L
Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer
Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M
Subject: FW: Executive Order

(b)(5)

FYI. I think Andrew might be right in terms of what is meant but

From: Davidson, Andrew J
Sent: Friday, January 27, 2017 12:37 PM
To: Renaud, Tracy L
Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L
Subject: Executive Order

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We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington, DC 20529

(b)(6)

Gillispie, Anna E

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Sent: Friday, January 27, 2017 6:26 PM
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Cc: Renaud, Tracy L
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Cc: Renaud, Tracy L; Neufeld, Donald W
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Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L
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Subject: FW: Executive Order

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From: Davidson, Andrew J
Sent: Friday, January 27, 2017 12:37 PM
To: Renaud, Tracy L
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[REDACTED] We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington, DC 20529

[REDACTED] (b)(6)

Gillispie, Anna E

From: Ruppel, Joanna
Sent: Wednesday, February 08, 2017 11:04 AM
To: Renaud, Tracy L; Scialabba, Lori L
Cc: Groom, Molly M
Subject: RE: update to RAIO staff on refugee processing

Thanks so much for the quick review and response! Much appreciated with everything else going on.

Joanna

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations Directorate

(b)(6)

From: Renaud, Tracy L
Sent: Wednesday, February 08, 2017 11:34 AM
To: Ruppel, Joanna; Scialabba, Lori L
Cc: Groom, Molly M
Subject: RE: update to RAIO staff on refugee processing

Joanna,

This is the message I meant to reply to with revised language that AD1 and I prefer:

As stated in the USCIS Broadcast, U.S. Citizenship and Immigration Services has suspended any and all actions implementing the affected sections of the Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States" (January 27, 2017) (these affected sections are Sections 3(c), Section 5(a), Section 5(b), Section 5 (c) and Section 5 (e) to the extent that it purports to prioritize refugee claims of certain religious minorities).

USCIS has resumed approving refugee cases that are otherwise eligible for refugee resettlement. The travel schedule of these approved cases will be determined by the Department of State so as not to exceed the refugee ceiling set by the current Administration. At this time, USCIS generally will not be regularly conducting refugee interviews in international field offices, or deploying additional circuit rides this quarter other than select, previously scheduled circuit rides. USCIS will coordinate other possible interviews, including urgent humanitarian protection cases, at the request of the Department of State. The previously organized trainings for credible fear will move forward as scheduled.

USCIS, including RAIO headquarters staff, is participating in intra and inter-agency working groups established to implement the Executive Order and field input will be sought as appropriate.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna
Sent: Tuesday, February 07, 2017 7:37 PM

To: Scialabba, Lori L; Renaud, Tracy L
Cc: Groom, Molly M
Subject: update to RAIO staff on refugee processing

Tracy and Lori,

I would like to send the message below to RAIO staff who have been asking their managers about the state of play of refugee processing. Given sensitivity with the litigation, I wanted to check with you and Molly (copied here) to see if there are any concerns with me sending out the message below. Thanks for your consideration. Of course, by the time you read this, we may have another court order Still, staff would really like some info.

Proposed message:

As stated in the USCIS Broadcast, U.S. Citizenship and Immigration Services has suspended any and all actions implementing the affected sections of the Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States" (January 27, 2017) (these affected sections are Sections 3(c), Section 5(a), Section 5(b), Section 5 (c) and Section 5 (e) to the extent that it purports to prioritize refugee claims of certain religious minorities). As a result suspension of the U.S. Refugee Admission Program is no longer in effect. Suspension of the entry of Syrian nationals as refugees is also no longer in effect.

USCIS has resumed approving refugee cases that are otherwise eligible for refugee resettlement (digitally or manually). The travel schedule of these approved cases will be determined by the Department of State so as not to exceed the refugee ceiling set by the current Administration.

Given that section 5(d) of the order, which limits the refugee ceiling, was not impacted by recent litigation, the Department of State is reviewing the cases in the pipeline to determine how many interviews are needed this fiscal year to meet the revised ceiling for this year and anticipated for next year. At this time, USCIS generally will not be regularly conducting refugee interviews in international field offices, or deploying additional circuit rides this quarter other than the previously scheduled Nauru and Vienna circuit rides. USCIS will coordinate other possible interviews, including urgent humanitarian protection cases, at the request of the Department of State. The previously organized trainings for credible fear will move forward as scheduled.

USCIS is participating in intra and inter-agency working groups established to implement the Executive Order, including review of and recommendations for additional vetting of individuals processed in the U.S. Refugee Admissions Program. HQ FDNS has the lead for this effort for USCIS, and RAD and RAIO FDNS are supporting these efforts. In addition, RAIO headquarters staff is also participating in other working groups addressing implementation of uniform screening standards and a review of USCIS forms and interviews. As I mentioned previously, we are also committed to working on a process to ensure an opportunity for field input into this process.

Gillispie, Anna E

From: Alfonso, Angelica M
Sent: Wednesday, February 08, 2017 8:48 AM
To: Scialabba, Lori L
Subject: RE: update to RAIO staff on refugee processing

I may actually strike the credible fear interview piece as well. In my mind, they want to hear that USRAP has resumed, new ceiling remains, and will there be additional circuit rides...

From: Alfonso, Angelica M
Sent: Wednesday, February 08, 2017 9:42 AM
To: Scialabba, Lori L
Subject: RE: update to RAIO staff on refugee processing

Try this:

As stated in the USCIS Broadcast, U.S. Citizenship and Immigration Services has suspended any and all actions implementing the affected sections of the Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States" (January 27, 2017) (these affected sections are Sections 3(c), Section 5(a), Section 5(b), Section 5 (c) and Section 5 (e) to the extent that it purports to prioritize refugee claims of certain religious minorities).

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USCIS, including RAIO headquarters staff, is participating in intra and inter-agency working groups established to implement the Executive Order and field input will be sought as appropriate.

From: Scialabba, Lori L
Sent: Wednesday, February 08, 2017 9:33 AM
To: Alfonso, Angelica M
Subject: RE: update to RAIO staff on refugee processing

That's Joanna. It was making me nervous and maybe it was because it was so detailed. Wanna take a stab at making it much shorter?

From: Alfonso, Angelica M
Sent: Wednesday, February 08, 2017 8:59:00 AM
To: Scialabba, Lori L
Subject: RE: update to RAIO staff on refugee processing

This is a lot of detail in writing (knowing that everything is leaking these days). It's all accurate, of course, and is devoid of commentary. I'm just wondering if it needs to be so detailed.

Angelica Alfonso-Royals
Chief, Office of Legislative Affairs
U.S. Citizenship and Immigration Services

From: Scialabba, Lori L
Sent: Wednesday, February 08, 2017 3:54:10 AM
To: Alfonso, Angelica M
Subject: FW: update to RAIO staff on refugee processing

what are your thoughts on this?

From: Ruppel, Joanna
Sent: Tuesday, February 07, 2017 7:37:22 PM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Groom, Molly M
Subject: update to RAIO staff on refugee processing

Tracy and Lori,

I would like to send the message below to RAIO staff who have been asking their managers about the state of play of refugee processing. Given sensitivity with the litigation, I wanted to check with you and Molly (copied here) to see if there are any concerns with me sending out the message below. Thanks for your consideration. Of course, by the time you read this, we may have another court order Still, staff would really like some info.

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screening standards and a review of USCIS forms and interviews. As I mentioned previously, we are also committed to working on a process to ensure an opportunity for field input into this process.

Gillispie, Anna E

From: Renaud, Daniel M
Sent: Monday, February 06, 2017 1:07 PM
To: Busch, Philip B; Scialabba, Lori L; Neufeld, Donald W; Groom, Molly M
Cc: Renaud, Tracy L; McCament, James W; Farnam, Julie E; Walters, Jessica S; Young, Todd P; Swanson, Toni; Ruppel, Joanna; Cowan, Robert M; Robinson, Terri A; Hoefer, Michael D
Subject: RE: The 2 issues re individuals inside US

Then we have a problem with how they plan on implementing.

Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Busch, Philip B
Sent: Monday, February 06, 2017 1:58 PM
To: Renaud, Daniel M; Scialabba, Lori L; Neufeld, Donald W; Groom, Molly M
Cc: Renaud, Tracy L; McCament, James W; Farnam, Julie E; Walters, Jessica S; Young, Todd P; Swanson, Toni; Ruppel, Joanna; Cowan, Robert M; Robinson, Terri A; Hoefer, Michael D
Subject: RE: The 2 issues re individuals inside US

Regarding the time frame in the last bullet, this is a waiver of a ban that expires in 80 days, so that kind of process would seem more applicable if the ban were extended or expanded by further EO.

Philip B. Busch
Acting Deputy Chief Counsel
Senior Legal Advisor
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security

(b)(6)

This communication, along with any attachments, may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message.

From: Renaud, Daniel M
Sent: Monday, February 06, 2017 1:50 PM
To: Scialabba, Lori L; Neufeld, Donald W; Groom, Molly M; Busch, Philip B
Cc: Renaud, Tracy L; McCament, James W; Farnam, Julie E; Walters, Jessica S; Young, Todd P; Swanson, Toni; Ruppel, Joanna; Cowan, Robert M; Robinson, Terri A; Hoefer, Michael D
Subject: RE: The 2 issues re individuals inside US

A couple of other issues:

- NBC does not collect fees, so if there is a fee, we'd need to use a lockbox,
- I assume we'll be looking at fingerprints and FBI Name checks.
- With checks and interviews, I'd estimate the first one would be completed within 4-6 months.

Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L
Sent: Monday, February 06, 2017 1:44 PM
To: Renaud, Daniel M; Neufeld, Donald W; Groom, Molly M; Busch, Philip B
Cc: Renaud, Tracy L; McCament, James W; Farnam, Julie E; Walters, Jessica S; Young, Todd P; Swanson, Toni; Ruppel, Joanna; Cowan, Robert M; Robinson, Terri A; Hoefer, Michael D
Subject: RE: The 2 issues re individuals inside US

There is a number of how many visa holders from the 7 countries are here. Not sure who had that. CBP?

From: Renaud, Daniel M
Sent: Monday, February 06, 2017 1:36:05 PM
To: Neufeld, Donald W; Groom, Molly M; Busch, Philip B; Scialabba, Lori L
Cc: Renaud, Tracy L; McCament, James W; Farnam, Julie E; Walters, Jessica S; Young, Todd P; Swanson, Toni; Ruppel, Joanna; Cowan, Robert M; Robinson, Terri A; Hoefer, Michael D
Subject: RE: The 2 issues re individuals inside US

I know that FOD can put together a process either with or without interviews. Requiring interviews will be a challenge specifically with respect to technology. While we have C3 LAN at NBC and the field has access to the NBC LAN via ICMS, the I-192 is supported, I believe by C3, but is not currently supported by ICMS. So we can't update and I-192 in C3 from the field using ICMS. That would likely need to change. We'd have to also see if NASS or the C3/C4 scheduler can accommodate I-192 scheduling or these would need to be scheduled manually.

There would be impact on the NBC and on I-485 and/or N-400 cycle times. Do we have an estimated volume of multiple-entry visa holders from these countries who are in the US?

Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Neufeld, Donald W
Sent: Monday, February 06, 2017 12:49 PM
To: Groom, Molly M; Busch, Philip B; Scialabba, Lori L; Renaud, Daniel M
Cc: Renaud, Tracy L; McCament, James W; Farnam, Julie E; Walters, Jessica S; Young, Todd P; Swanson, Toni; Ruppel, Joanna
Subject: RE: The 2 issues re individuals inside US

Our folks are now looking at the I-192 option, but if an interview is required that would seem to move this in FOD's direction. To be candid, we were beginning to think even the I-131 might go that way if these are truly urgent cases - consistent with how AP is handled now in urgent situations.

From: Groom, Molly M
Sent: Monday, February 06, 2017 12:41:19 PM
To: Busch, Philip B; Scialabba, Lori L; Neufeld, Donald W; Renaud, Daniel M

Cc: Renaud, Tracy L; McCament, James W; Farnam, Julie E; Walters, Jessica S; Young, Todd P; Swanson, Toni; Ruppel, Joanna

Subject: RE: The 2 issues re individuals inside US

And we just heard from CBP that at the staff level they are recommending to leadership that adjudication of a waiver require an interview, so a form based process may not be sufficient, Just FYI as we contemplate how we may implement if necessary.

From: Busch, Philip B

Sent: Monday, February 06, 2017 12:30 PM

To: Groom, Molly M; Scialabba, Lori L; Neufeld, Donald W; Renaud, Daniel M

Cc: Renaud, Tracy L; McCament, James W; Farnam, Julie E; Walters, Jessica S; Young, Todd P; Swanson, Toni; Ruppel, Joanna

Subject: RE: The 2 issues re individuals inside US

Thanks Molly. One clarification, it is a USCIS form but the instructions say file it with CBP unless it's a T or U situation. But as you note CBP says they don't actually use it as broadly as the instructions suggest – the applicant is supposed to file it at a designated port, and the only ports CBP has designated for that are along the Northern Border.

Philip B. Busch
Acting Deputy Chief Counsel
Senior Legal Advisor
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security

(b)(6)

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From: Groom, Molly M

Sent: Monday, February 06, 2017 12:26 PM

To: Scialabba, Lori L; Neufeld, Donald W; Renaud, Daniel M

Cc: Renaud, Tracy L; McCament, James W; Farnam, Julie E; Walters, Jessica S; Young, Todd P; Swanson, Toni; Ruppel, Joanna; Busch, Philip B

Subject: RE: The 2 issues re individuals inside US

We've been discussing how a waiver process could work be established legally with OGC and CBP and I am copying what Phil sent to start the conversation. In sum, we suggest using the Form I-192, Application for Advance Permission to Enter as a Nonimmigrant. It does look to inadmissibility rather than entry but comes closer to the intended purpose than any of the forms we regularly adjudicate. It is a CBP form and they use it on the Northern border for Canadians. We are told DOS uses it. USCIS does use it for certain Ts and Us. CBP is naturally a bit resistant, but it seems to be a promising way forward in light of the legal analysis below from our SME's.

We've identified a very promising existing avenue to consider the waiver with respect to those with valid nonimmigrant visas in the United States – the Form I-192, which is even called, "Application for Advance Permission to Enter as a Nonimmigrant." While not exact, since it talks about INA inadmissibility, it is extremely close – in fact, at p. 5 of the instructions it asks those inadmissible on foreign policy or national security grounds to provide a written detailed

statement under penalty of perjury about why they should be admitted, which seems like a good fit with asking for a justification for the national interest waiver. Except for those seeking T or U nonimmigrant status, who file I-192 with us, it is filed with CBP with a \$585 fee.

Stepping back from that particular form and process, here are some more general comments from our SMEs about regulatory implementation issues regarding the contemplated waiver:

Executive Order 13769, section 3, paragraph (g), states, “Notwithstanding a suspension pursuant to subsection (c) of this section or pursuant to a Presidential proclamation described in subsection (e) of this section, the Secretaries of State and Homeland Security may, on a case-by-case basis, and when in the national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.”

At this point, USCIS does not understand what information should be obtained, the level of review required or the process for determining when it is “in the national interest” to waive the requirements of section 3 under this the provision.

If the established process requires the collection of information, asking questions, or filling out a form for more than 9 individuals then that collection would be subject to the requirements of the Paperwork Reduction Act (PRA). See 44 U.S.C. § 3502; 5 C.F.R. § 1320.3(c), which covers, “the obtaining, causing to be obtained, soliciting, or requiring the disclosure to an agency, third parties or the public of information by or for an agency by means of identical questions posed to, or identical reporting, recordkeeping, or disclosure requirements imposed on, ten or more persons, whether such collection of information is mandatory, voluntary, or required to obtain or retain a benefit.”

Any new questionnaire or form, even if completed during a verbal interview, requires a 60-day notice under 5 CFR 1320.8(d)(1) and a 30-day notice under 5 CFR 1320.10(a). OMB may be requested to approve the process as an emergency approval under 5 CFR 1320.13 if the new collection is needed because it is essential to the mission of the agency, the agency cannot reasonably comply with the normal clearance procedures, public harm is reasonably likely to result if normal clearance procedures are followed, an unanticipated event has occurred, or a statutory or court ordered deadline to be missed. OMB will usually approve an emergency request in 30 days. The problem with an emergency approval is that OMB only approves the collection of information for a maximum of 90 days. However, section 3(c), states that it applies to, “such persons for 90 days from the date of this order.” Thus, an emergency request under 5 CFR 1320.13 may be appropriate if we decide that a new collection is necessary.

If a new form is required or provides a list of questions for the officer to ask the individuals either verbally or manually, then the PRA applies. The PRA may not apply if there is already a process or form that very closely fits what is necessary that can be easily adapted without change to the 3(g) waiver process. The PRA may also not apply if the process is left to officer discretion, no standard questions will be asked, or if the waiver can be requested with a simple request that only identifies the individual, and the waiver can be approved with only a review of the applicable individual’s file and current information on hand.

In addition, if the individuals who desire a waiver under section 3(g) are asked questions that impose a new standard or implicate a substantive right, then those questions may violate the Administrative Procedure Act (APA) and DHS would have to engage in notice and comment rulemaking under 5 U.S.C. 553 to ask them.

From: Scialabba, Lori L

Sent: Monday, February 06, 2017 12:18 PM

To: Neufeld, Donald W; Renaud, Daniel M

Cc: Renaud, Tracy L; McCament, James W; Farnam, Julie E; Walters, Jessica S; Young, Todd P; Swanson, Toni; Ruppel, Joanna; Groom, Molly M

Subject: RE: The 2 issues re individuals inside US

O.k. Really adding Molly now.

From: Neufeld, Donald W
Sent: Monday, February 06, 2017 10:41:44 AM
To: Scialabba, Lori L; Renaud, Daniel M
Cc: Renaud, Tracy L; McCament, James W; Farnam, Julie E; Walters, Jessica S; Young, Todd P; Swanson, Toni; Ruppel, Joanna
Subject: RE: The 2 issues re individuals inside US

We are looking at whether the I-131 process could be modified to support this. It may be very difficult to make the systems changes needed to support issuance of an I-797 rather than the I-512 or RP/RTD. I'm wondering if alternatively we could issue an actual advance parole document (I-512) with the understanding that CBP would instead admit them with their NIV if otherwise admissible. We are looking at that option as well.

From: Scialabba, Lori L
Sent: Monday, February 06, 2017 9:22:46 AM
To: Neufeld, Donald W; Renaud, Daniel M
Cc: Renaud, Tracy L; McCament, James W; Farnam, Julie E; Walters, Jessica S; Young, Todd P; Swanson, Toni; Ruppel, Joanna
Subject: RE: The 2 issues re individuals inside US

You guys need to start thinking about how we can adjudicate these national interest waivers here in the U.S. For anyone wanting to travel abroad with a multiple entry visa.

1. How do we do it and what are the guidelines?
2. where do we put the information so CBP can see it when the person returns or what document can we give them that shows they got a waiver.

I'm still fighting this but in the event we are ordered to do it you need to be thinking about how it would happen.

Lori

From: Neufeld, Donald W
Sent: Monday, February 06, 2017 9:14:01 AM
To: Renaud, Daniel M; Scialabba, Lori L
Cc: Renaud, Tracy L; McCament, James W
Subject: RE: The 2 issues re individuals inside US

Neither can I.

From: Renaud, Daniel M
Sent: Monday, February 06, 2017 9:12:34 AM
To: Scialabba, Lori L
Cc: Renaud, Tracy L; Neufeld, Donald W; McCament, James W
Subject: RE: The 2 issues re individuals inside US

I cannot think of a benefit that we adjudicate domestically that requires a valid immigrant or nonimmigrant visa.

Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L
Sent: Monday, February 06, 2017 9:00 AM
To: Groom, Molly M; Busch, Philip B; Renaud, Tracy L
Cc: Renaud, Daniel M; McCament, James W; Neufeld, Donald W
Subject: RE: The 2 issues re individuals inside US

I'm still saying NO. This is just going to tick off the judge when he figures out DOJ made this up at the last minute so they could put it into their brief. We don't have a process in place and I can't make one up fast enough with no time to think it through.

From: Groom, Molly M
Sent: Monday, February 06, 2017 8:55:31 AM
To: Scialabba, Lori L; Busch, Philip B; Renaud, Tracy L
Cc: Renaud, Daniel M; McCament, James W; Neufeld, Donald W
Subject: RE: The 2 issues re individuals inside US

Can I come see you? DOJ is really pushing for our answer.

From: Scialabba, Lori L
Sent: Monday, February 06, 2017 8:21:09 AM
To: Groom, Molly M; Busch, Philip B; Renaud, Tracy L
Cc: Renaud, Daniel M; McCament, James W; Neufeld, Donald W
Subject: RE: The 2 issues re individuals inside US

Wait, DOS reversed the 1/27 revocation? Did the court order that? AND I see your point but doesn't it also apply to the waiver we are promising to valid visa holders? If the TRO is lifted they are no longer valid visa holders.

From: Groom, Molly M
Sent: Monday, February 06, 2017 8:08:23 AM
To: Scialabba, Lori L; Busch, Philip B; Renaud, Tracy L
Cc: Renaud, Daniel M; McCament, James W; Neufeld, Donald W
Subject: RE: The 2 issues re individuals inside US

This part isn't about the waiver, but whether USCIS used the Jan 27 DOS revocation in adjudicating anything. Since it is forward looking it seems we could be okay. But then again they've reversed the Jan 27 revocation so how could we apply that revocation going forward? And if TRO is lifted a new revocation will come out. So it could be misleading. Frankly I don't think this language gets us where DOJ wants us to be- but in the timeframe given I don't know whether we could get there since folks are running down cases.

From: Scialabba, Lori L
Sent: Monday, February 06, 2017 7:58:31 AM

To: Groom, Molly M; Busch, Philip B; Renaud, Tracy L
Cc: Renaud, Daniel M; McCament, James W; Neufeld, Donald W
Subject: RE: The 2 issues re individuals inside US

So Phil is saying the waiver section says if you have a valid multiple entry visa we'll consider a waiver when the last paragraph says DOS revoked the visas. So how does anyone have a valid visa to apply for a waiver. Is that the point?

From: Groom, Molly M
Sent: Monday, February 06, 2017 7:46:33 AM
To: Busch, Philip B; Scialabba, Lori L; Renaud, Tracy L
Cc: Renaud, Daniel M; McCament, James W; Neufeld, Donald W
Subject: RE: The 2 issues re individuals inside US

Lori,

They need to know if you are ok with the second part of the statement relating to the DOS revocations. I've reattached it here. [REDACTED] (b)(5)

Phil points out that the second part of the statement [REDACTED]

[REDACTED]

Let us know what you think.

From: Busch, Philip B
Sent: Monday, February 06, 2017 6:45:35 AM
To: Groom, Molly M; Scialabba, Lori L; Renaud, Tracy L
Cc: Renaud, Daniel M; McCament, James W; Neufeld, Donald W
Subject: RE: The 2 issues re individuals inside US

(b)(5)

Well said. [REDACTED]

[REDACTED]

[REDACTED] Phil

From: Groom, Molly M
Sent: Monday, February 06, 2017 2:12:00 AM
To: Scialabba, Lori L; Renaud, Tracy L; Busch, Philip B

Cc: Renaud, Daniel M; McCament, James W; Neufeld, Donald W

Subject: RE: The 2 issues re individuals inside US

Here is what I sent:

Joe,

(b)(5)

I connected with Lori and she is concerned with agreeing to such a statement.

Thanks for considering.

From: Groom, Molly M

Sent: Monday, February 06, 2017 1:39 AM

To: Scialabba, Lori L; Renaud, Tracy L; Busch, Philip B

Cc: Renaud, Daniel M; McCament, James W; Neufeld, Donald W

Subject: RE: The 2 issues re individuals inside US

As soon as I transmit your concerns I am going to bed. Thanks very much. I will be in touch after 7.

From: Scialabba, Lori L

Sent: Monday, February 06, 2017 1:32 AM

To: Groom, Molly M; Renaud, Tracy L; Busch, Philip B

Cc: Renaud, Daniel M; McCament, James W; Neufeld, Donald W

Subject: RE: The 2 issues re individuals inside US

Well I appreciate yours too. Like I said trying to solve this on the spur of the moment is foolish. Happy to be on the call whenever they have it. Assuming it's not before 7:00 am when I'll check emails again.

Go to bed Molly.

Lori

From: Groom, Molly M
Sent: Monday, February 06, 2017 1:25:01 AM
To: Scialabba, Lori L; Renaud, Tracy L; Busch, Philip B
Cc: Renaud, Daniel M; McCament, James W; Neufeld, Donald W
Subject: RE: The 2 issues re individuals inside US

I will pass on that you are not on board and will synthesize your concerns. I understand from other emails you are copied on that they will likely call a meeting early tomorrow morning. If it matters, I think you are doing the right thing and I share your concerns. Perhaps with more discussion with DOJ, we can find another way forward on the litigation front. I appreciate your attention late this evening/this morning.

From: Scialabba, Lori L
Sent: Monday, February 06, 2017 1:21 AM
To: Groom, Molly M; Renaud, Tracy L; Busch, Philip B
Cc: Renaud, Daniel M; McCament, James W; Neufeld, Donald W
Subject: RE: The 2 issues re individuals inside US

(b)(5)

I'm not o.k. With this. This proposal has so many problems and issues that I can see just off the top of my head that I'm sure it would be a disaster. [REDACTED]

No, I'm not o.k. With this. Making policy based on litigation has always gotten us into more trouble than it's been worth and it's never an assurance of winning the litigation either. And trying to develop a policy on a Sunday night without thinking through what we are doing is reckless and foolish.

Lori

From: Groom, Molly M
Sent: Sunday, February 05, 2017 10:53:31 PM
To: Scialabba, Lori L; Renaud, Tracy L; Busch, Philip B
Subject: FW: The 2 issues re individuals inside US

I just got off a call where Joe requested that you consider signing off on this statement. OCC edited to make it as palatable as possible. [REDACTED]

[REDACTED] Let me know if you want to discuss. They are hoping to hear from you tonight.

Gillispie, Anna E

From: Torres, Juan J
Sent: Friday, February 03, 2017 9:55 PM
To: Carter, Jeffrey T (Jeff); Renaud, Tracy L; Miller, Caitlin E; Groom, Molly M; Alfonso, Angelica M; Hatchett, Doline L; Scialabba, Lori L; Busch, Philip B
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

Employee broadcast has been issued. Should I hold my team member on for anything else tonight? Juan

From: Carter, Jeffrey T (Jeff)
Sent: Friday, February 03, 2017 10:43 PM
To: Torres, Juan J; Renaud, Tracy L; Miller, Caitlin E; Groom, Molly M; Alfonso, Angelica M; Hatchett, Doline L; Scialabba, Lori L; Busch, Philip B
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

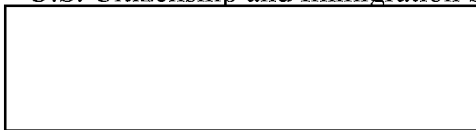
Press Secretary's statement on court ruling:

"At the earliest possible time, the Department of Justice intends to file an emergency stay of the order and defend the executive order of the President, which we believe is lawful and appropriate. The president's order is intended to protect the country and he has the constitutional authority and responsibility to protect the American people.

As the law states, "Whenever the President finds that the entry of any aliens or of any class of aliens into the United States would be detrimental to the interests of the United States, he may by proclamation, and for such period as he shall deem necessary, suspend the entry of all aliens or any class of aliens as immigrants or nonimmigrants, or impose on entry of aliens any restrictions may deem to be appropriate."

Jeff

Jeff Carter
Acting Deputy Chief, Office of Communications
U.S. Citizenship and Immigration Services



(b)(6)

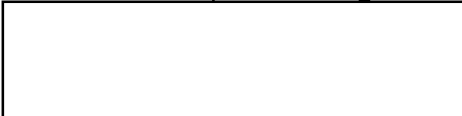
Please visit www.uscis.gov for news and information.

From: Carter, Jeffrey T (Jeff)
Sent: Friday, February 03, 2017 10:30:24 PM
To: Torres, Juan J; Renaud, Tracy L; Miller, Caitlin E; Groom, Molly M; Alfonso, Angelica M; Hatchett, Doline L; Scialabba, Lori L; Busch, Philip B
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

Trying to get a copy but media are reporting the White House press secretary has issued a statement saying the administration will appeal and seek a stay to the injunction.

Jeff

Jeff Carter
Acting Deputy Chief, Office of Communications
U.S. Citizenship and Immigration Services



(b)(6)

Please visit www.uscis.gov for news and information.

From: Torres, Juan J
Sent: Friday, February 03, 2017 10:25:16 PM
To: Renaud, Tracy L; Miller, Caitlin E; Groom, Molly M; Carter, Jeffrey T (Jeff); Alfonso, Angelica M; Hatchett, Doline L; Scialabba, Lori L; Busch, Philip B
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

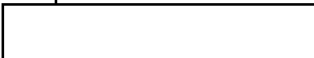
Got it. We are using this version to issue a USCIS employee broadcast and will link to the injunction PDF in the yellow highlighted below. The injunction PDF will be published to USCIS Connect as well.

Please advise of any concerns by 10:45PM Eastern. Intend to hit send at 10:50pm Eastern. Thanks, Juan

From: Renaud, Tracy L
Sent: Friday, February 03, 2017 10:23 PM
To: Miller, Caitlin E; Groom, Molly M; Carter, Jeffrey T (Jeff); Torres, Juan J; Alfonso, Angelica M; Hatchett, Doline L; Scialabba, Lori L; Busch, Philip B
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

Perfect. Thanks Caitlin. Juan - this is the one. Thanks again for the late night efforts of you and your team. (you too Jeff and. Of course, OCC).

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security



(b)(6)

From: Miller, Caitlin E
Sent: Friday, February 03, 2017 10:21:06 PM
To: Renaud, Tracy L; Groom, Molly M; Carter, Jeffrey T (Jeff); Torres, Juan J; Alfonso, Angelica M; Hatchett, Doline L; Scialabba, Lori L; Busch, Philip B
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

Sorry Tracy,

That version had the "prioritizes" typo and was missing an "of" before Syrian. This one is right.

A federal district court in Washington state has issued a nationwide injunction of each one of the following provisions of the January 27, 2017 Executive Order on Protecting the Nation from Foreign Terrorist Entry into the United States:

- Section 3(c)
- Section 5(a)
- Section 5(b)
- Section 5(c)
- Section 5(e) to the extent that it purports to prioritize refugee claims of certain religious minorities

All enforcement of the above-listed sections of the Executive Order must halt immediately. The judge's written order is attached. To be clear, **the injunction is effective right now and compliance with the ruling must begin immediately**.

Accordingly, effective immediately U.S. Citizenship and Immigration Services will suspend any and all actions implementing the affected sections of the Executive Order entitled, "*Protecting the Nation from Foreign Terrorist Entry into the United States*" (January 27, 2017). Additionally, USCIS shall not proceed with any action that prioritizes refugee claims of certain religious minorities. Further, suspension of the U.S. Refugee Admission Program is no longer in effect. Suspension of the entry of Syrian nationals as refugees is also no longer in effect.

We are informed that the Administration is considering options to expeditiously appeal this ruling. We will update you with further guidance as soon as it is received.

Thank you,

Caitlin Miller (formerly Shay)
Associate Counsel, Litigation and National Security Coordination Division
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Ave., NW, Suite 3100
Mail Stop 2121
Washington, DC 20529-2121

(b)(6)

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From: Renaud, Tracy L
Sent: Friday, February 03, 2017 10:19 PM
To: Miller, Caitlin E; Groom, Molly M; Carter, Jeffrey T (Jeff); Torres, Juan J; Alfonso, Angelica M; Hatchett, Dolline L; Scialabba, Lori L; Busch, Philip B
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

I think In the next to the last paragraph "priorities" should be "prioritizes". Other than that I am okay with the statement.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security



(b)(6)

From: Miller, Caitlin E
Sent: Friday, February 03, 2017 10:16:04 PM
To: Groom, Molly M; Renaud, Tracy L; Carter, Jeffrey T (Jeff); Torres, Juan J; Alfonso, Angelica M; Hatchett, Doline L; Scialabba, Lori L; Busch, Philip B
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

Below is guidance language:

A federal district court in Washington state has issued a nationwide injunction of each one of the following provisions of the January 27, 2017 Executive Order on Protecting the Nation from Foreign Terrorist Entry into the United States:

- Section 3(c)
- Section 5(a)
- Section 5(b)
- Section 5(c)
- Section 5(e) to the extent that it purports to prioritize refugee claims of certain religious minorities

All enforcement of the above-listed sections of the Executive Order must halt immediately. The judge's written order is attached. To be clear, **the injunction is effective right now and compliance with the ruling must begin immediately.**

Accordingly, effective immediately U.S. Citizenship and Immigration Services will suspend any and all actions implementing the affected sections of the Executive Order entitled, "*Protecting the Nation from Foreign Terrorist Entry into the United States*" (January 27, 2017). Additionally, USCIS shall not proceed with any action that prioritizes refugee claims of certain religious minorities. Further, suspension of the U.S. Refugee Admission Program is no longer in effect. Suspension of the entry Syrian nationals as refugees is also no longer in effect.

We are informed that the Administration is considering options to expeditiously appeal this ruling. We will update you with further guidance as soon as it is received.

Thank you,

Caitlin Miller (formerly Shay)
Associate Counsel, Litigation and National Security Coordination Division
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Ave., NW, Suite 3100
Mail Stop 2121
Washington, DC 20529-2121



(b)(6)

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From: Groom, Molly M

Sent: Friday, February 03, 2017 10:14 PM

To: Renaud, Tracy L; Carter, Jeffrey T (Jeff); Torres, Juan J; Alfonso, Angelica M; Hatchett, Dolline L; Scialabba, Lori L; Busch, Philip B; Miller, Caitlin E

Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

Including Caitlin to share our best language for all employees.

From: Renaud, Tracy L

Sent: Friday, February 03, 2017 10:07:42 PM

To: Carter, Jeffrey T (Jeff); Torres, Juan J; Alfonso, Angelica M; Groom, Molly M; Hatchett, Dolline L; Scialabba, Lori L; Busch, Philip B

Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

Thanks Jeff. I get it and if it had been posted prior to us. Ring aware of the injunction it would be normal course of business posting it after, even if a re-post of a DHS post might give the impression that we are not completely compliant. I tend to be super conservative on this stuff which is why I'm deferring to OCC. Molly, you don't need the link, the press statement is at the bottom of this email chain.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Carter, Jeffrey T (Jeff)

Sent: Friday, February 03, 2017 10:04:06 PM

To: Renaud, Tracy L; Torres, Juan J; Alfonso, Angelica M; Groom, Molly M; Hatchett, Dolline L; Scialabba, Lori L; Busch, Philip B

Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

The press release was sent out by DHS to the media and I asked Juan to post it, has we have other DHS statements, to the Connect page. We do not have to post it by any means but, again, the press release was distributed by DHS.

Jeff

Jeff Carter
Acting Deputy Chief, Office of Communications
U.S. Citizenship and Immigration Services

(b)(6)

Please visit www.uscis.gov for news and information.

From: Renaud, Tracy L

Sent: Friday, February 03, 2017 10:01:30 PM

To: Torres, Juan J; Alfonso, Angelica M; Groom, Molly M; Carter, Jeffrey T (Jeff); Hatchett, Doline L; Scialabba, Lori L; Busch, Philip B

Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

I think us posting this, even internally, after the injunction is ill advised but defer to OCC. Molly and Phil copied.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Torres, Juan J

Sent: Friday, February 03, 2017 9:56:29 PM

To: Alfonso, Angelica M; Renaud, Tracy L; Groom, Molly M; Carter, Jeffrey T (Jeff); Hatchett, Doline L; Scialabba, Lori L

Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

Apologies – doing some catch up here. I do have someone available to issue an internal message (just need a cleared message). Meanwhile, should I move forward with posting the below DHS press release to our “[Presidential Actions](#)” Connect page?

Juan

From: Alfonso, Angelica M

Sent: Friday, February 03, 2017 9:48 PM

To: Renaud, Tracy L; Groom, Molly M; Carter, Jeffrey T (Jeff); Hatchett, Doline L; Scialabba, Lori L

Cc: Torres, Juan J

Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

This would have only posted to internal connect page (vs .gov)

Angelica Alfonso-Royals
Chief, Office of Legislative Affairs
U.S. Citizenship and Immigration Services

From: Renaud, Tracy L

Sent: Saturday, February 04, 2017 2:45:11 AM

To: Groom, Molly M; Carter, Jeffrey T (Jeff); Alfonso, Angelica M; Hatchett, Doline L; Scialabba, Lori L

Cc: Torres, Juan J

Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

Added you for your awareness. The question was really for OCOM.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Groom, Molly M

Sent: Friday, February 03, 2017 9:44:24 PM

To: Renaud, Tracy L; Carter, Jeffrey T (Jeff); Alfonso, Angelica M; Hatchett, Dolline L; Scialabba, Lori L

Cc: Torres, Juan J

Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

I never saw this.

From: Renaud, Tracy L

Sent: Friday, February 03, 2017 9:43:39 PM

To: Carter, Jeffrey T (Jeff); Alfonso, Angelica M; Hatchett, Dolline L; Scialabba, Lori L; Groom, Molly M

Cc: Torres, Juan J

Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

I assume we held this given the injunction?

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Carter, Jeffrey T (Jeff)

Sent: Friday, February 03, 2017 6:44:52 PM

To: Alfonso, Angelica M; Hatchett, Dolline L; Renaud, Tracy L; Scialabba, Lori L

Cc: Torres, Juan J

Subject: FW: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

FYSA.

Juan - please have this posted on the EO Connect page.

Thanks,

Jeff

Jeff Carter
Acting Deputy Chief, Office of Communications
U.S. Citizenship and Immigration Services

(b)(6)

Please visit www.uscis.gov for news and information.

From: DHS Press Office
Sent: Friday, February 03, 2017 5:40:00 PM
To: Carter, Jeffrey T (Jeff)
Subject: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES



Press Office
U.S. Department of Homeland Security

Press Release

February 3, 2017
Contact: DHS Press Office, 202-282-8010

STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

WASHINGTON - The Department of Homeland Security (DHS) would like to clarify the classes of aliens affected by the 90-day temporary pause on travel, with case-by-base exceptions and waivers, as outlined in the President's Executive Order entitled "Protecting the Nation from Foreign Terrorist Entry into the United States."

To ensure that the U.S. government can conduct a thorough analysis of the national security risks faced by our immigration system, the Executive Order imposes a 90-day pause on the entry into the United States of nationals from Iraq, Syria, Sudan, Iran, Somalia, Libya, and Yemen. This pause does not apply to Lawful Permanent Residents, dual citizens with passports from a country other than the seven listed, or those traveling on diplomatic, NATO or UN visas. Special Immigrant Visa holders who are nationals of these seven countries may board U.S.-bound planes, and apply for and receive a national interest exception to the pause upon arrival.

Importantly, these seven countries are the only countries to which the pause on entry applies. No other countries face such treatment. Nor have any other countries been identified as warranting future inclusion at this time, contrary to false reports.

As directed by the Executive Order, DHS is working with the Department of State and the Office of the Director of National Intelligence to conduct a country-by-country review of the information provided by countries in order for their nationals to apply for myriad visas, immigration benefits, or otherwise seek admission into the United States. This review is needed to ensure that individuals seeking to enter the U.S. are who they claim to be and do not pose a security or public-safety threat.

The results of this review will be provided to the President within 30 days of the Executive Order's signing. This review, conducted in consultation with our interagency partners, will determine which countries do not provide adequate information on their nationals seeking immigration benefits or admission into the United States. Principally, the goal is to ensure that those admitted to this country do not bear hostile attitudes toward the United States and its founding principles.

Based on that report, the State Department will ask any foreign governments who were determined to not be supplying adequate information on their nationals to begin providing such information within 60 days.

In order to protect Americans, and to advance the national interest, the United States must ensure that we have adequate information about individuals seeking to enter this country to ensure that they do not bear malicious intent toward the United States and its people.

#

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Office of Public Affairs · 202-282-8010 · mediainquiry@hq.dhs.gov



U.S. Department of Homeland Security · Washington, DC 20016

Gillispie, Anna E

From: Torres, Juan J
Sent: Friday, February 03, 2017 9:25 PM
To: Renaud, Tracy L; Miller, Caitlin E; Groom, Molly M; Carter, Jeffrey T (Jeff); Alfonso, Angelica M; Hatchett, Doline L; Scialabba, Lori L; Busch, Philip B
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

Got it. We are using this version to issue a USCIS employee broadcast and will link to the injunction PDF in the yellow highlighted below. The injunction PDF will be published to USCIS Connect as well.

Please advise of any concerns by 10:45PM Eastern. Intend to hit send at 10:50pm Eastern. Thanks, Juan

From: Renaud, Tracy L
Sent: Friday, February 03, 2017 10:23 PM
To: Miller, Caitlin E; Groom, Molly M; Carter, Jeffrey T (Jeff); Torres, Juan J; Alfonso, Angelica M; Hatchett, Doline L; Scialabba, Lori L; Busch, Philip B
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

Perfect. Thanks Caitlin. Juan - this is the one. Thanks again for the late night efforts of you and your team. (you too Jeff and. Of course, OCC).

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Miller, Caitlin E
Sent: Friday, February 03, 2017 10:21:06 PM
To: Renaud, Tracy L; Groom, Molly M; Carter, Jeffrey T (Jeff); Torres, Juan J; Alfonso, Angelica M; Hatchett, Doline L; Scialabba, Lori L; Busch, Philip B
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

Sorry Tracy,

That version had the "prioritizes" typo and was missing an "of" before Syrian. This one is right.

A federal district court in Washington state has issued a nationwide injunction of each one of the following provisions of the January 27, 2017 Executive Order on Protecting the Nation from Foreign Terrorist Entry into the United States:

- Section 3(c)
- Section 5(a)
- Section 5(b)
- Section 5(c)
- Section 5(e) to the extent that it purports to prioritize refugee claims of certain religious minorities

All enforcement of the above-listed sections of the Executive Order must halt immediately. The judge's written order is attached. To be clear, **the injunction is effective right now and compliance with the ruling must begin immediately.**

Accordingly, effective immediately U.S. Citizenship and Immigration Services will suspend any and all actions implementing the affected sections of the Executive Order entitled, "*Protecting the Nation from Foreign Terrorist Entry into the United States*" (January 27, 2017). Additionally, USCIS shall not proceed with any action that prioritizes refugee claims of certain religious minorities. Further, suspension of the U.S. Refugee Admission Program is no longer in effect. Suspension of the entry of Syrian nationals as refugees is also no longer in effect.

We are informed that the Administration is considering options to expeditiously appeal this ruling. We will update you with further guidance as soon as it is received.

Thank you,

Caitlin Miller (formerly Shay)
Associate Counsel, Litigation and National Security Coordination Division
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Ave., NW, Suite 3100
Mail Stop 2121
Washington, DC 20529-2121

(b)(6)

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From: Renaud, Tracy L
Sent: Friday, February 03, 2017 10:19 PM
To: Miller, Caitlin E; Groom, Molly M; Carter, Jeffrey T (Jeff); Torres, Juan J; Alfonso, Angelica M; Hatchett, Doline L; Scialabba, Lori L; Busch, Philip B
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

I think In the next to the last paragraph "priorities" should be "prioritizes". Other than that I am okay with the statement.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Miller, Caitlin E

Sent: Friday, February 03, 2017 10:16:04 PM

To: Groom, Molly M; Renaud, Tracy L; Carter, Jeffrey T (Jeff); Torres, Juan J; Alfonso, Angelica M; Hatchett, Dolline L; Scialabba, Lori L; Busch, Philip B

Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

Below is guidance language:

A federal district court in Washington state has issued a nationwide injunction of each one of the following provisions of the January 27, 2017 Executive Order on Protecting the Nation from Foreign Terrorist Entry into the United States:

- Section 3(c)
- Section 5(a)
- Section 5(b)
- Section 5(c)
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We are informed that the Administration is considering options to expeditiously appeal this ruling. We will update you with further guidance as soon as it is received.

Thank you,

Caitlin Miller (formerly Shay)

Associate Counsel, Litigation and National Security Coordination Division

Office of the Chief Counsel

U.S. Citizenship and Immigration Services

U.S. Department of Homeland Security

111 Massachusetts Ave., NW, Suite 3100

Mail Stop 2121

Washington, DC 20529-2121

(b)(6)

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From: Groom, Molly M

Sent: Friday, February 03, 2017 10:14 PM

To: Renaud, Tracy L; Carter, Jeffrey T (Jeff); Torres, Juan J; Alfonso, Angelica M; Hatchett, Dolline L; Scialabba, Lori L;

Busch, Philip B; Miller, Caitlin E

Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

Including Caitlin to share our best language for all employees.

From: Renaud, Tracy L

Sent: Friday, February 03, 2017 10:07:42 PM

To: Carter, Jeffrey T (Jeff); Torres, Juan J; Alfonso, Angelica M; Groom, Molly M; Hatchett, Doline L; Scialabba, Lori L; Busch, Philip B

Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

Thanks Jeff. I get it and if it had been posted prior to us. Ring aware of the injunction it would be normal course of business posting it after, even if a re-post of a DHS post might give the impression that we are not completely compliant. I tend to be super conservative on this stuff which is why I'm deferring to OCC. Molly, you don't need the link, the press statement is at the bottom of this email chain.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Carter, Jeffrey T (Jeff)

Sent: Friday, February 03, 2017 10:04:06 PM

To: Renaud, Tracy L; Torres, Juan J; Alfonso, Angelica M; Groom, Molly M; Hatchett, Doline L; Scialabba, Lori L; Busch, Philip B

Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

The press release was sent out by DHS to the media and I asked Juan to post it, has we have other DHS statements, to the Connect page. We do not have to post it by any means but, again, the press release was distributed by DHS.

Jeff

Jeff Carter
Acting Deputy Chief, Office of Communications
U.S. Citizenship and Immigration Services

(b)(6)

Please visit www.uscis.gov for news and information.

From: Renaud, Tracy L

Sent: Friday, February 03, 2017 10:01:30 PM

To: Torres, Juan J; Alfonso, Angelica M; Groom, Molly M; Carter, Jeffrey T (Jeff); Hatchett, Doline L; Scialabba, Lori L;

Busch, Philip B

Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

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Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security



(b)(6)

From: Torres, Juan J
Sent: Friday, February 03, 2017 9:56:29 PM
To: Alfonso, Angelica M; Renaud, Tracy L; Groom, Molly M; Carter, Jeffrey T (Jeff); Hatchett, Dolline L; Scialabba, Lori L
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

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Juan

From: Alfonso, Angelica M
Sent: Friday, February 03, 2017 9:48 PM
To: Renaud, Tracy L; Groom, Molly M; Carter, Jeffrey T (Jeff); Hatchett, Dolline L; Scialabba, Lori L
Cc: Torres, Juan J
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

This would have only posted to internal connect page (vs .gov)

Angelica Alfonso-Royals
Chief, Office of Legislative Affairs
U.S. Citizenship and Immigration Services

From: Renaud, Tracy L
Sent: Saturday, February 04, 2017 2:45:11 AM
To: Groom, Molly M; Carter, Jeffrey T (Jeff); Alfonso, Angelica M; Hatchett, Dolline L; Scialabba, Lori L
Cc: Torres, Juan J
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

Added you for your awareness. The question was really for OCOM.

Tracy L. Renaud
Acting Deputy Director

US Citizenship & Immigration Services
Department of Homeland Security

[Redacted]

(b)(6)

From: Groom, Molly M
Sent: Friday, February 03, 2017 9:44:24 PM
To: Renaud, Tracy L; Carter, Jeffrey T (Jeff); Alfonso, Angelica M; Hatchett, Dolline L; Scialabba, Lori L
Cc: Torres, Juan J
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

I never saw this.

From: Renaud, Tracy L
Sent: Friday, February 03, 2017 9:43:39 PM
To: Carter, Jeffrey T (Jeff); Alfonso, Angelica M; Hatchett, Dolline L; Scialabba, Lori L; Groom, Molly M
Cc: Torres, Juan J
Subject: RE: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

I assume we held this given the injunction?

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

[Redacted]

(b)(6)

From: Carter, Jeffrey T (Jeff)
Sent: Friday, February 03, 2017 6:44:52 PM
To: Alfonso, Angelica M; Hatchett, Dolline L; Renaud, Tracy L; Scialabba, Lori L
Cc: Torres, Juan J
Subject: FW: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

FYSA.

Juan - please have this posted on the EO Connect page.

Thanks,

Jeff

Jeff Carter
Acting Deputy Chief, Office of Communications
U.S. Citizenship and Immigration Services

[Redacted]

(b)(6)

Please visit www.uscis.gov for news and information.

From: DHS Press Office

Sent: Friday, February 03, 2017 5:40:00 PM

To: Carter, Jeffrey T (Jeff)

Subject: STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES



Press Office
U.S. Department of Homeland Security

Press Release

February 3, 2017

Contact: DHS Press Office, 202-282-8010

STATEMENT ON COUNTRIES CURRENTLY SUSPENDED FROM TRAVEL TO THE UNITED STATES

WASHINGTON - The Department of Homeland Security (DHS) would like to clarify the classes of aliens affected by the 90-day temporary pause on travel, with case-by-base exceptions and waivers, as outlined in the President's Executive Order entitled "Protecting the Nation from Foreign Terrorist Entry into the United States."

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Importantly, these seven countries are the only countries to which the pause on entry applies. No other countries face such treatment. Nor have any other countries been identified as warranting future inclusion at this time, contrary to false reports.

As directed by the Executive Order, DHS is working with the Department of State and the Office of the Director of National Intelligence to conduct a country-by-country review of the information provided by countries in order for their nationals to apply for myriad visas, immigration benefits, or otherwise seek admission into the United States. This review is needed to ensure that individuals seeking to enter the U.S. are who they claim to be and do not pose a security or public-safety threat.

The results of this review will be provided to the President within 30 days of the Executive Order's signing. This review, conducted in consultation with our interagency partners, will determine which countries do not provide adequate information on their nationals seeking immigration benefits or admission into the United States. Principally, the goal is to ensure that those admitted to this country do not bear hostile attitudes toward the United States and its founding principles.

Based on that report, the State Department will ask any foreign governments who were determined to not be supplying adequate information on their nationals to begin providing such information within 60 days.

In order to protect Americans, and to advance the national interest, the United States must ensure that we have adequate information about individuals seeking to enter this country to ensure that they do not bear malicious intent toward the United States and its people.

#

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U.S. Department of Homeland Security · Washington, DC 20016

Gillispie, Anna E

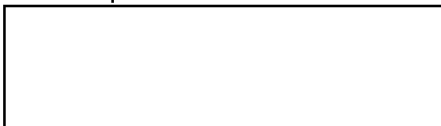
From: Busch, Philip B
Sent: Thursday, February 02, 2017 8:49 AM
To: Scialabba, Lori L; Renaud, Tracy L; Groom, Molly M
Cc: Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

Lori, that is specifically covered in another paragraph of this guidance:

1. USCIS will adjudicate Refugee/Asylee Relative Petitions (Form I-730) for all beneficiaries, from any country of nationality, currently in the United States according to existing policies and procedures. Further guidance will be issued with respect to beneficiaries currently outside of the United States.

The only change OGC made to that was to add "according to existing policies and procedures" which doesn't change any of the substance of what we sent up for review.

Philip B. Busch
Acting Deputy Chief Counsel
Senior Legal Advisor
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security



(b)(6)

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From: Scialabba, Lori L
Sent: Thursday, February 02, 2017 9:43 AM
To: Renaud, Tracy L; Groom, Molly M; Busch, Philip B
Cc: Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

Yeah the addition is not in line with what Gene Hamilton approved when I talked to him. It's not necessary. He was o.k. With us issuing a refugee travel document to someone here in the U.S. And I730s.

Lori

From: Renaud, Tracy L
Sent: Thursday, February 02, 2017 9:35:03 AM
To: Scialabba, Lori L; Groom, Molly M; Busch, Philip B

Cc: Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

Lori,

I retyped the modification that were made by OGC below. Paragraph 3 that relates to I-730s has the same insertion as paragraph "according to existing policies and procedures."

1. Section 3(c) of the Executive Order does not affect USCIS adjudication of applications and petitions filed for or on behalf of individuals in the United States regardless of their country of ~~nationality~~origin, or application and petitions for individuals outside the United States whose approval~~that does not directly confer travel authorization a benefit~~ (including any immigrant or nonimmigrant visa petition). This includes, but is not limited to, the matters discussed more specifically in paragraphs 2, 3 and 5 below.
2. Applications to Register Permanent Residence or Adjust Status (Form I-485) may continue to be adjudicated, according to existing policies and procedures, for applicants who are nationals of countries designated ~~in the Executive Order~~ as outlined in the Executive Order, "Protecting The Nation From Foreign Terrorist Entry Into The United States."

From: Scialabba, Lori L
Sent: Thursday, February 02, 2017 9:19 AM
To: Groom, Molly M; Busch, Philip B
Cc: Renaud, Tracy L; Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

Cna't tell what the edits are.

From: Groom, Molly M
Sent: Thursday, February 02, 2017 12:11:26 AM
To: Scialabba, Lori L; Busch, Philip B
Cc: Renaud, Tracy L; Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

OGC has just asked that we discuss any changes that concern you and that they feel some of the edits are necessary. Please let me know if you want to discuss any of them. Molly

From: Groom, Molly M
Sent: Thursday, February 02, 2017 12:07:30 AM
To: Scialabba, Lori L; Busch, Philip B
Cc: Renaud, Tracy L; Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

Lori, we discussed some changes with OGC later which are attached. Please consider them before you issue. We agree that issuing these instructions are the highest priority for the agency. Thanks.

From: Scialabba, Lori L
Sent: Wednesday, February 01, 2017 11:19:50 PM
To: Hamilton, Gene; Higgins, Jennifer; Metzler, Alan; Nielsen, Kirstjen
Cc: Renaud, Tracy L; Alfonso, Angelica M; Groom, Molly M
Subject: RE: USCIS Guidance on 1/27 executive order

Thank you Gene. Have a good evening.

Lori

From: Hamilton, Gene
Sent: Wednesday, February 01, 2017 10:41:34 PM
To: Scialabba, Lori L; Higgins, Jennifer; Metzler, Alan; Nielsen, Kirstjen
Cc: Renaud, Tracy L; Alfonso, Angelica M; Groom, Molly M
Subject: RE: USCIS Guidance on 1/27 executive order

Thanks, Lori. This is good to go.

From: Scialabba, Lori L
Sent: Tuesday, January 31, 2017 3:55:57 PM
To: Hamilton, Gene; Higgins, Jennifer; Metzler, Alan; Nielsen, Kirstjen
Cc: Renaud, Tracy L; Alfonso, Angelica M; Groom, Molly M
Subject: FW: USCIS Guidance on 1/27 executive order

Please see the attached guidance that I would like to send to USCIS staff. It does not answer all questions but it will address the vast majority. Please let me know if you'd like to discuss. OCC and our politicals have reviewed.

I plan to send our parole program paper in the next day or so with our recommendations for consideration. Once decisions are made I'll have guidance drafted for implementation and sent up for review.

I know everyone is very busy but if I can get a clearance on the attached memo we'll be out in front of what may be the next round of questions regarding the EO that was signed on Friday.

Regards,
Lori

From: Walters, Jessica S
Sent: Tuesday, January 31, 2017 3:36 PM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Young, Todd P; Farnam, Julie E; Walters, Jessica S
Subject: USCIS Guidance on 1/27 executive order

Lori and Tracy:

Please see the proposed USCIS guidance on implementation of the 1/27 executive order. It's been reviewed by OCC (Molly/Phil) and Craig/Carl.

Thanks,

Jess

Jessica S. Walters

Senior Advisor | Office of the Director and Deputy Director

U.S. Citizenship and Immigration Services | U.S. Department of Homeland Security |



(b)(6)

Gillispie, Anna E

From: Busch, Philip B
Sent: Thursday, February 02, 2017 8:46 AM
To: Scialabba, Lori L; Renaud, Tracy L; Groom, Molly M
Cc: Alfonso, Angelica M; Farnam, Julie E; Swanson, Toni; Young, Todd P; Walters, Jessica S
Subject: RE: USCIS Guidance on 1/27 executive order

How about changing the relevant part of #1 to this:

(b)(5)

Philip B. Busch
Acting Deputy Chief Counsel
Senior Legal Advisor
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security

(b)(6)

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From: Scialabba, Lori L
Sent: Thursday, February 02, 2017 9:40 AM
To: Busch, Philip B; Renaud, Tracy L; Groom, Molly M
Cc: Alfonso, Angelica M; Farnam, Julie E; Swanson, Toni; Young, Todd P; Walters, Jessica S
Subject: RE: USCIS Guidance on 1/27 executive order

I can do that since the WH has said the EO does not apply to LPRs. But since that's been made public I think it can go into the memo without going back to DHS.

From: Busch, Philip B
Sent: Thursday, February 02, 2017 9:32:58 AM
To: Scialabba, Lori L; Renaud, Tracy L; Groom, Molly M
Cc: Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

On the second point, that is what this guidance provides.

On the first one, if you want more clarity based on the evolving guidance we have been getting about LPRs in this document, that can be done, but I think it would need to go through DHS clearance again. Perhaps it is more efficient to clarify that particular point with RAIO than revise the guidance to all employees again.

Phil

Philip B. Busch
Acting Deputy Chief Counsel
Senior Legal Advisor
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security

(b)(6)

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From: Scialabba, Lori L
Sent: Thursday, February 02, 2017 9:23 AM
To: Renaud, Tracy L; Groom, Molly M; Busch, Philip B
Cc: Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

I was specifically told we can issue a boarding letter to an LPR and WH clarified this doesn't apply to LPRs.

I was also told we could issue refugee travel document to anyone in the U.S. As well as an I-730.

From: Renaud, Tracy L
Sent: Thursday, February 02, 2017 8:28:29 AM
To: Groom, Molly M; Scialabba, Lori L; Busch, Philip B
Cc: Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

So how do we know when/if they get a waiver so that we then issue the boarding letter/parole?

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Groom, Molly M
Sent: Thursday, February 02, 2017 8:07:02 AM

To: Renaud, Tracy L; Scialabba, Lori L; Busch, Philip B
Cc: Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

It's saying what is barred so those adjudications are barred but the individual could get a waiver so I think it is fine.

From: Renaud, Tracy L
Sent: Thursday, February 02, 2017 7:43:52 AM
To: Groom, Molly M; Scialabba, Lori L; Busch, Philip B
Cc: Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

Molly - What does the edit to bullet number one where OGC changed "benefit" to "travel authorization" do to the RAIO processing of travel letters and/or humanitarian parole?

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Groom, Molly M
Sent: Thursday, February 02, 2017 12:11:26 AM
To: Scialabba, Lori L; Busch, Philip B
Cc: Renaud, Tracy L; Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

OGC has just asked that we discuss any changes that concern you and that they feel some of the edits are necessary. Please let me know if you want to discuss any of them. Molly

From: Groom, Molly M
Sent: Thursday, February 02, 2017 12:07:30 AM
To: Scialabba, Lori L; Busch, Philip B
Cc: Renaud, Tracy L; Alfonso, Angelica M
Subject: RE: USCIS Guidance on 1/27 executive order

Lori, we discussed some changes with OGC later which are attached. Please consider them before you issue. We agree that issuing these instructions are the highest priority for the agency. Thanks.

From: Scialabba, Lori L
Sent: Wednesday, February 01, 2017 11:19:50 PM
To: Hamilton, Gene; Higgins, Jennifer; Metzler, Alan; Nielsen, Kirstjen
Cc: Renaud, Tracy L; Alfonso, Angelica M; Groom, Molly M
Subject: RE: USCIS Guidance on 1/27 executive order